S. HRG. 108–855

THE REPORT OF THE SPECIAL ADVISOR TO THE DIRECTOR OF CENTRAL INTELLIGENCE FOR STRATEGY REGARDING IRAQI WEAPONS OF MASS DESTRUCTION PROGRAMS

Y 4.AR 5/3:S.HRG.108-855
The Report of The Special Advis

BEFORE THE

COMMITTEE ON ARMED SERVICES UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

OCTOBER 6, 2004

Printed for the use of the Committee on Armed Services

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THE REPORT OF THE SPECIAL ADVISOR TO THE DIRECTOR OF CENTRAL INTELLIGENCE FOR STRATEGY REGARDING IRAQI WEAPONS OF MASS DESTRUCTION PROGRAMS

WEDNESDAY, OCTOBER 6, 2004

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met, pursuant to notice, at 2:44 p.m. in room SH–216, Hart Senate Office Building, Senator John Warner (chairman) presiding.

Committee members present: Senators Warner, McCain, Inhofe, Allard, Sessions, Talent, Graham, Cornyn, Levin, Kennedy, Reed, Akaka, Bill Nelson, E. Benjamin Nelson, Dayton, Clinton, and Pryor.

Committee staff members present: Judith A. Ansley, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Charles W. Alsup, professional staff member; Regina A. Dubey, research assistant; and Paula J. Philbin, professional staff member.

Minority staff members present: Richard D. DeBobes, Democratic staff director; Madelyn R. Creedon, minority counsel; Richard W. Fieldhouse, professional staff member; and William G.P. Monahan, minority counsel.

Staff assistants present: Andrew W. Florell, Bridget E. Ward, and Nicholas West.

Committee members' assistants present: Darren M. Dick, assistant to Senator Roberts; Arch Galloway, assistant to Senator Sessions; Lindsey R. Neas, assistant to Senator Talent; Clyde A. Taylor IV, assistant to Senator Chambliss; Meredith Moseley, assistant to Senator Graham; Russell J. Thomasson, assistant to Senator Cornyn; Sharon L. Waxman and Mieke Y. Eoyang, assistants to Senator Kennedy; Elizabeth King, assistant to Senator Reed; Davelyn Noelani Kalipi, assistant to Senator Akaka; William K. Sutey, assistant to Senator Bill Nelson; Eric Pierce, assistant to Senator E. Benjamin Nelson; Mark Phillip Jones, assistant to Senator Dayton; Andrew Shapiro, assistant to Senator Clinton; and Terri Glaze, assistant to Senator Pryor.

OPENING STATEMENT OF SENATOR JOHN WARNER, CHAIRMAN

Chairman WARNER. The committee meets today to receive the testimony from Charles A. Duelfer, the Special Advisor to the Director of Central Intelligence (DCI) on Iraq's Weapons of Mass Destruction (WMD), concerning his report on efforts to determine the status of WMD and related programs in Iraq. Mr. Duelfer is joined by Brigadier General Joseph P. McMenamin, United States Marine Corps, Military Commander of the Iraqi Survey Group (ISG).

This is the sixth time the committee has received testimony from the top leaders of the ISG. Our committee views the work of this group as a very important part of our overall policy, objectives, and aims in Iraq.

We welcome both. We thank you for your service under difficult and often personally dangerous conditions. When Senator Stevens, Senator Hollings, and I met with Mr. Duelfer and the ISG in Baghdad this past March, we witnessed first-hand the damaged vehicles that you utilize in the daily operation of your work and the consequent hazards that you face, not only yourself but all of your team. America, indeed the world, is indebted to you for this risky operation that you have performed and are continuing, General, to perform.

The mission of the ISG has been to search for all facts—and I repeat, all facts—relevant to the many issues involving Iraqi WMD and related programs, their status in the past and today, and what they might have been in the future. This very complex, difficult mission will continue until all possible leads are exhausted. Patience will continue to be required to ensure that this mission is completed with a thorough assessment of all facts.

I think we should step back a minute in history and remember that the issue of Iraq's possession and use of WMD has a long history. Iraq used chemical weapons against Iran during the Iran-Iraq War and against their own people, the Kurds.

In 1991, following the first Gulf War, the United Nations (U.N.) Security Council adopted Resolution 687, which stated "Iraq shall unconditionally accept the destruction, removal, or rendering harmless under international supervision all chemical and biological weapons and stocks of agents and related subsystems and components and all research, development, support, and manufacturing facilities related thereto, all ballistic missiles with a range greater than 150 kilometers and related major parts and repair and production facilities."

This was a clear statement of policy by the world community confirming the existence of such weapons and programs.

What followed was 12 years of Iraqi obstruction and 12 of the 17 additional U.N. Security Council resolutions demanding Iraq compliance with its 1991 obligations to destroy its WMD and capabilities. In other words, the U.N. had to repeatedly try to enforce the purposes of Resolution 687 with subsequent resolutions. There was no doubt about Iraq's capabilities and intentions in this area in that period.

Now, in November 2002 U.N. Security Council Resolution 1441 recognized—I underline the word "recognized"—and I quote it, "the threat Iraq's noncompliance with Council resolutions and prolifera-

tion of weapons of mass destruction and long-range missiles poses to international peace and security."

Continuing, it said: "The fact that Iraq has not provided an accurate, full, final, and complete disclosure, as required by Resolution 687 of all aspects of its programs to develop weapons of mass destruction and ballistic missiles."

We are still to this day seeking a full, final, and complete disclosure of all the facts on this issue, and I compliment both of you for your efforts to achieve that goal. In this hearing today we will receive your assessment of what has been accomplished, what conclusions have been reached concerning Iraqi WMD programs, and what, in your professional judgment, remains to be done by the ISG.

The findings of Mr. Duelfer and the ISG have been significant. While the ISG has not found stockpiles of WMD, the ISG and other coalition elements have developed a body of fact that shows that Saddam Hussein had: first, the strategic intention to continue to pursue WMD capabilities; and second, created ambiguity about his WMD capabilities that he used to extract concessions from the international community. He used it as a bargaining tactic and as a strategic deterrent against his neighbors and others.

He had ongoing WMD research programs. He also had a capability for quickly reviving chemical weapons production, on a large scale within months. Examples: mustard gas within 3 to 6 months and nerve agents within 2 years.

Furthermore, Saddam Hussein deceived U.N. inspectors for over 12 years. Lastly, he systematically attempted to thwart and undermine U.N. and other international sanctions.

These are important lessons we must apply to current and future U.S. and international efforts to stop the scourge of proliferation of such weapons elsewhere in the world.

It is clear from your statements, and Mr. Duelfer's reports, that your conclusions differ from the prewar assessments of our Intelligence Community, differ from the assessments of the U.N., and differ from the assessments of intelligence services of many other nations. That is a cause for concern. The Intelligence Committee report on prewar intelligence concerning WMD programs concluded that there were shortcomings in the intelligence provided to the policymakers and to Congress. Your report lends credence to the conclusions of that committee. My understanding, I am a member of that committee, is that you testified before that committee this morning.

We must understand why and take corrective measures. Our policymakers must be able to rely on the intelligence they are provided and our battlefield commanders must have sound intelligence. The lives of our men and women in uniform and many others are dependent on that intelligence, as is the security of our Nation.

As we speak, over 1,700 individuals, military and civilian, are in Iraq and Qatar, continuing the search for facts about Iraq's WMD programs. The ISG has had some of the best and the brightest of our military and our Intelligence Community to accomplish this task, and we thank them for their service.

Thank you, Mr. Duelfer, for the service that you have provided to our Nation; and, General McMenamin, for the service that you and the ISG are continuing to provide. We look forward to your testimony.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT BY SENATOR JOHN WARNER

The committee meets today to receive testimony from Charles A. Duelfer, the Special Advisor to the Director of Central Intelligence Regarding Iraqi Weapons of Mass Destruction Programs concerning his report on efforts to determine the status of weapons of mass destruction and related programs in Iraq. Mr. Duelfer is joined by Brigadier General Joseph J. McMenamin, USMC, Military Commander of the Iraq Survey Group. This is the sixth time the Committee has received testimony from the top leaders of the Iraq Survey Group.

We welcome Mr. Duelfer and General McMenamin today. We thank you for your service under difficult, dangerous conditions. When Senator Stevens, Senator Hollings and I met with Mr. Duelfer and the ISG in Baghdad in March, the bullet-riddled vehicles outside your headquarters were testament to the hazards you and your team endure on a daily basis.

The mission of the Iraq Survey Group has been to search for all facts relevant to the many issues involving Iraqi weapons of mass destruction and related programs. This very complex, difficult mission will continue on until all possible leads are exhausted. Patience will continue to be required to ensure we complete a thorough assessment of this important issue.

In this hearing today, we will receive your assessment of what has been accomplished, what conclusions you have reached concerning Iraqi WMD and programs, and what, in your professional judgment, remains to be done by the Iraq Survey Group.

The findings of the Mr. Duelfer and the Iraq Survey Group have been significant. While the ISG has not found stockpiles of WMD, the ISG and other coalition elements have developed a body of fact that shows that Saddam Hussein had:

- the strategic intention to continue to pursue WMD capabilities;
- created ambiguity about his WMD capabilities that he used to extract concessions on the international stage and as a strategic deterrent;
- ongoing WMD research programs;
- a capability for quickly reviving chemical weapons production on a large scale within months—mustard gas within 3–6 months and nerve agents within 2 years;
- deceived U.N. inspectors for over 12 years; and
- systematically attempted to thwart and undermine U.N. and other international sanctions.

These are important lessons we must apply to current and future U.S. and international efforts to stop the scourge of proliferation around the world.

It is clear from your statements and Mr. Duelfer's report that your conclusions differ from the pre-war assessments of our intelligence community, differ from the assessments of the U.N., and differ from the assessments of intelligence services of many other nations. That is cause for concern. The Intelligence Committee report on pre-war intelligence concerning WMD programs concluded that there were shortcomings in the intelligence provided to the policymakers and to Congress. Your report lends credence to those conclusions. We must understand why and take corrective measures. Our policymakers must be able to rely on the intelligence they are provided, and our battlefield commanders must have sound intelligence. The lives of our men and women in uniform depend on it, as does the security of our Nation.

As we speak, over 1,700 individuals—military and civilian—are in Iraq and Qatar continuing the search for facts about Iraq's WMD programs. The ISG has some of the best and the brightest of our military and our Intelligence Community to accomplish this task, and we thank them for their service.

We thank Mr. Duelfer for the service he has provided to our Nation and General McMenamin for the service he and the ISG continue to provide. We look forward to your testimony.

Senator Levin.

STATEMENT OF SENATOR CARL LEVIN

Senator LEVIN. Thank you, Mr. Chairman. Let me first join you in welcoming our witnesses, Mr. Duelfer and General McMenamin. Thank you both for your presence and for your service to this Nation.

The Iraq Survey Group began its mission in June 2003. Its mission was very clear and it was stated to be the following by the former DCI, George Tenet: "Search for Iraq's weapons of mass destruction." It has been 15 months since the ISG began its work. The ISG, with some 1,750 employees and having made visits to 1,200 suspect WMD sites, has not found WMD in Iraq, nor evidence that Iraq had stockpiles of such weapons at the start of the war.

It is important to emphasize that central fact because the administration's case for going to war against Iraq rested on the twin arguments that Saddam Hussein had existing stockpiles of WMD and that he might give WMD to al Qaeda to attack us, as al Qaeda had attacked us on September 11. So the fundamental conclusion of the ISG effort means that the administration's two major arguments for going to war against Iraq were incorrect.

We did not go to war because Saddam had future intentions to obtain WMD. The administration told the American people that we had to attack Iraq because Iraq possessed stockpiles of WMD and that they were allied with terrorists like al Qaeda, to whom Iraq would like to give such weapons.

Here are just a few examples:

In August 2002, Vice President Cheney said, "Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt he is amassing them to use against our friends, our allies, and against us."

President Bush asserted on September 26, 2002, that, "The Iraqi regime possesses biological and chemical weapons." One day later he spoke of "The stockpiles of anthrax that we know he has or VX, the biological weapons which he possesses."

In September 2003, Vice President Cheney described Iraq as the "geographic base of the terrorists who have had us under assault now for many years, but most especially on September 11."

On October 7, 2002, President Bush said: "Iraq could decide on any given day to provide a biological or chemical weapon to a terrorist group or individual terrorists. Alliance with terrorists could allow the Iraqi regime to attack America without allowing any fingerprints."

In his March 17, 2003, speech to the Nation on the eve of the war, President Bush said, "The danger is clear. Using chemical, biological, or one day nuclear weapons obtained with the help of Iraq, the terrorists could fulfill their stated ambitions and kill thousands or hundreds of thousands of innocent people in our country or any other."

Now, these are just a few examples of many similar statements made by senior administration officials before the war. So today before we delve into a speculative discussion about Saddam's possible future intentions with respect to WMD, it is important to return to the starting point for the administration's argument for going to

war. Namely, that Saddam possessed stockpiles of chemical and biological weapons and might give them to terrorists to attack us.

We have heard many claims before the war about Iraq's weapons and efforts to build more deadly weapons. The American people were told about aluminum tubes that Vice President Cheney said we knew with "absolute certainty" were intended for nuclear weapons, and which Condoleezza Rice said were "really only suitable for nuclear weapons programs."

We were told about unmanned aerial vehicles (UAVs) in Saddam Hussein's possession that were intended for delivering biological weapons, including against the U.S. homeland. We were told about Iraqi efforts to obtain uranium from Africa. These allegations, like the assertions about Iraq having WMD and their stockpiles, were all wrong, and that is what today's report will state.

After the war started, the administration began an effort to change the subject of the debate, from the actual presence of WMD to WMD programs, then to WMD-related program activities, and more recently to speculation about intentions. However, that effort cannot obscure the historical fact and the critical fact that is most critical to the American people, that, as President Bush's Press Secretary acknowledged "Iraq has weapons of mass destruction. That is what the war was about and is about."

We welcome this report today. We commend both of you again for making yourselves available today. We also want to thank you for making this an unclassified report. Given the importance of this issue, the public deserves to know as much as possible about the details. We look forward to your testimony.

Chairman WARNER. Thank you, Senator Levin.

Mr. Duelfer.

STATEMENT OF CHARLES A. DUELFER, SPECIAL ADVISOR TO THE DIRECTOR OF CENTRAL INTELLIGENCE ON IRAQ'S WEAPONS OF MASS DESTRUCTION

Mr. DUELFER. Senators, thank you very much for the opportunity to appear here today.

Chairman WARNER. You have an extensive prepared written statement, which will be placed into the record in its entirety. The same with you, General.

Mr. DUELFER. Okay, thank you.

I would also like to thank those of you who came out and visited in Baghdad. That means a lot to the people doing this work, to know that there are people who really are interested in the work that goes on out there. I know it is a difficult trip to make. It is not a safe trip to make but I welcome it. I know that General McMenamin welcomes it and I think it is a useful thing to do. You do get a sense of what goes on on the ground. Thank you very much.

The relationship between Iraq and the rest of the world has been complicated and dangerous for three decades, a dilemma that has confounded the international community through much of recent history. Three wars, devastating sanctions, and an endless progression of intelligence crises have eroded or ruined thousands of lives. The region and Iraq are both complicated and unstable and obviously very dangerous. Weapons of mass destruction have added to

the uncertainty and risk posed by an unpredictable and clearly aggressive regime in Baghdad.

This report is not simply an accounting of the program fragments that we have examined in the aftermath of the recent war and the ongoing conflict. Nor is it my aim merely to describe the status of a program at a single point in time. The complexity and importance of the question deserve a more synthetic approach in my opinion. Instead, the objective of this report is to identify the dynamics of the regime's WMD decisions over time. I want to identify the area under the curve, not just a single point on a trend line that may be going up or down. In other words, this problem deserves calculus, not algebra. Thus, the report I have prepared attempts to describe Iraqi WMD programs, not in isolation, but in the context of the aims and objectives of the regime that created and used them, which is not to say that I am not going to look at the artifacts and what we did find at the given point in time when we began work.

I have also insisted that the report include as much basic data as reasonable and that it be unclassified. Since the tragedy that has been Iraq has exacted such a huge cost for so many for so long, I feel strongly that the data we have accumulated be presented in as thorough a manner as possible to enable others to draw their own conclusions. Certainly I have a concept of the dynamics that underlay the course that Saddam followed with WMD and this is conveyed in the report. Others, including Iraqis themselves, may examine this and conclude otherwise.

The report consists of six chapters and includes, at the end, a timeline showing key events that bear on the Iraqi WMD program. Aiming to introduce the reader to the Iraqi frame of reference, the report begins with an analysis of the nature of the regime and its aims in chapter one. As compared with most countries, fathoming the intentions of the regime is made easier in Iraq because it really boils down to understanding one person, Saddam Hussein, who was the regime. The highly personalized nature of the Iraqi dictatorship under Saddam, with its multiplicity of security organs and unclear, often overlapping lines of authority, progressively created a governmental system of operating alien to those steeped in the norms of western democracies.

An understanding of the workings of the Iraqi system of governance is important so that evidence, or the lack of evidence, can be evaluated within the frame of reference of Baghdad and not the frame of reference of Washington, London, or Canberra. For example, given the nature of Iraqi governance, one should not look for much of an audit trail on WMD. Even Saddam's most senior ministers did not want to be in a position to tell him bad news or make recommendations from which he would recoil. The most successful and long-lived advisors were those who could anticipate his intentions. Hence, there was a very powerful role for implicit guidance. This was particularly the case for the most sensitive issues, such as actions related to human rights or WMD.

This dynamic limits the evidence that one might expect to find, that is, little documentation or senior advisors who could honestly say that they had instructions on certain matters. This of course makes it risky to draw conclusions about the absence of evidence, a continuous problem that we found in Iraq.

Further obfuscating the picture is the fact that Baghdad had long experience in dealing with inspection by western outsiders. From the experience of dealing with U.N. inspectors, the Iraqis learned a great deal about what signatures we looked for, and I point out I spent many years in that activity myself. Iraqis generally knew a lot more about us than we did about them. For various reasons, their ability and desire to conceal their intentions and capabilities were quite good.

Beyond a discussion of how the regime operated, the report also provides a sense of Saddam's goals, aspirations, and political vision as a means to better understand his decisions about WMD, their development, use, and destruction and role in the future realization of his political-military aims for the Iraqi nation.

We have tried to understand his objectives and how he developed and used power. I point out that after the 1991 war Saddam established as his prime objective, taking into account survival of course, the termination of U.N. sanctions on Iraq and he weighed all policy actions and steps for their impact on this overarching objective.

Saddam committed the brightest minds and much national treasure to developing WMD. Moreover, Saddam saw this investment as having paid vital dividends. Senior Iraqis state that only through the use of long-range ballistic missiles and the extensive use of chemical weapons did Iraq avoid defeat in the war with Iran, and there was a second, less obvious instance where the regime attributes its survival to the possession of WMD. In the run-up to the 1991 war, Iraq loaded, dispersed, and Saddam pre-delegated the authority to use biological and chemical weapons if the coalition proceeded to Baghdad.

The regime and Saddam believed that the possession of WMD deterred the United States from going to Baghdad in 1991. Moreover, it has been clear, in my discussions with senior Iraqis, that they clearly understand that they blundered in invading Kuwait before completing their nuclear weapons program. Had they waited, the outcome would have been quite different.

Finally, Saddam also used chemical weapons for domestic purposes, in the late 1980s against the Kurds and, as we learned in our work at ISG, during the Shia uprisings immediately after the 1991 war.

Again, in this first chapter, aspects of Saddam's decisionmaking were examined by identification of several key inflection points when Saddam made a choice affecting WMD. Several such points have been identified and dissected to see the dynamics of these decisions. This tool of using a timeline and identifying key inflection points is also useful in tracking his strategy and tactics toward the U.N. and the sanctions imposed by the U.N. Security Council. Saddam's personal direction of much of Iraq's relations with the U.N. reflected his approach to influence and is described in some detail in the report.

Overall, the hope is that not only will we see what Saddam decided to do with WMD, but why. This may be instructive for future policy considerations and certainly for future intelligence considerations.

The second chapter of the report is an extensive analysis of Iraq's financing and procurement, our bid to identify the resources avail-

able to Baghdad and examine how they were allocated. We made it a high priority to obtain complete information from the Oil Ministry and the State Oil Marketing Organization. These data were extremely valuable in obtaining an understanding of how the regime operated in its priorities. This is a way of bounding the problem in a sense. Because Iraq had limited resources, that was one of the ways we could delimit our analysis. It turned out to be quite instructive.

Our investigation makes clear that the top priority for Saddam was to escape the economic stranglehold of the U.N. sanctions. Sanctions limited his ambitions in many ways and took an enormous toll on Iraqi society. The disintegration of the middle class, civil infrastructure, the health system, and the blight on the hope of young Iraqis were clear through the 1990s. The U.N. Security Council, in attempting to mitigate the effects of sanctions on innocent Iraqis, created the Oil-for-Food program. It is instructive that the regime rejected the opportunity to export oil for civil goods until conditions were so bad that they threatened the survival of the regime.

This chapter makes clear the range of steps the regime took to erode support for and the efficacy of the U.N. sanctions program. The steps the regime took to erode sanctions are obvious in the analysis of how revenues, particularly those derived from the Oil-for-Food program, were used. Over time sanctions had steadily weakened, to the point where Iraq, in roughly the 2000 to 2001 time frame, was confidently designing missiles around components that could only be obtained outside of sanctions. Moreover, illicit revenues grew to quite substantial levels during this same period, and it is instructive to see how and where the regime allocated these funds.

Our investigation also makes quite clear how Baghdad exploited the mechanism for executing the Oil-for-Food program to give individuals and countries an economic stake in ending sanctions. The regime followed a pattern that Saddam has applied throughout his career of offering rewards and a rationale for accepting them, successfully arguing its case that the sanctions were harming the innocent and that the moral choice was to elude and diminish them.

It is grossly obvious how successful the regime was. It is also grossly obvious how the sanctions perverted not just the national system of finance and economics, but to some extent international markets and organizations. The procurement and finance section notes that a sizable portion of the illicit revenues generated under the Oil-for-Food program went to the Military-Industrial Commission, that is the government-run military-industrial establishment. The funding for this organization, which had responsibility for many of the past WMD programs, went from approximately $7.8 million in 1998 to $350 million in 2001. During this period of growing resource availability, many military programs were carried out, including many involving the willing export to Iraq of military items prohibited by the Security Council. I would note that some members of the Security Council participated in violating those very same resolutions.

The remaining four chapters deal with the different types of WMD programs which Iraq had previously worked. The first of

these, the delivery system chapter, describes the work Iraq had been pursuing with respect to missiles and UAVs. Iraq continued to work on missile delivery systems in the wake of the Gulf War. Some missile activity was permitted in fact by the U.N. resolutions.

Saddam drew a distinction, however, between long-range missiles and other WMD, a distinction not drawn in the U.N. resolutions. Iraq's missile development infrastructure continued to develop under sanctions and included work on propulsion, fuels, and even guidance systems. As more funding became available following the implementation of the Oil-for-Food program, Saddam directed more missile activities. In the latter years, more foreign assistance was brought in, including both technology and technical expertise.

While it is clear that Saddam wanted a long-range missile, there was little work done on warheads. It is apparent that he drew the line at that point, so long as sanctions remained. However, while the development of ballistic missile delivery systems is time-consuming, if and when Saddam decided to place a nonconventional warhead on the missile this could be done quite quickly. The chemical weapons and biological weapons warheads put on Iraqi missiles in 1990 and 1991, for example, were built in months.

A couple of points are of interest from the Iraqi missile efforts. One is that they did not abide by the range limits set in U.N. Security Council Resolution 686. The range capabilities of the ballistic missiles they were developing exceeded the stated limits. Iraq also used components from SA–2 surface-to-air missile engines that they had been expressly prohibited from doing. Iraq also produced fuel that was not declared. They also tested UAVs in excess of the range limits.

Iraq missile developers became so confident that others would violate the sanctions that they designed new missile systems which depended upon the import of guidance systems, which were prohibited by sanctions. Further, they drew upon foreign expertise that was readily available for such areas as propulsion, again in violation of the sanctions.

The next chapter is on nuclear programs and it reviews the program up to the 1991 war and describes the activities of the scientists and engineers following the war. The analysis shows that despite Saddam's expressed desire to retain knowledge of his nuclear team and his attempts to retain some key parts of the program, during the course of the following 12 years Iraq's ability to produce a weapon decayed steadily.

Sanctions and inspections lasted longer than Saddam anticipated. The inspections were also much more intrusive than expected. Therefore, retention of weapons material put at risk his higher immediate objective of escaping sanctions. Nevertheless, Saddam's son-in-law and chief weapons developing manager, Hussein Kamal, directed that design information and very limited physical material be hidden from inspectors. These concealment efforts were successful until Hussein Kamal fled to Jordan in 1995.

There were also efforts to retain the intellectual capital of nuclear scientists by forbidding their departure from Iraq and keeping them employed in government areas. However, over time there was decay in the team. Unlike other WMD areas, nuclear weapons development requires thousands of knowledgeable scientists as well

as a large physical plant. Even with the intention of keeping these talented people employed, a natural decay took place and the time it would take for Iraq to build a nuclear weapon tended to increase for the duration of the sanctions.

The Iraqi Atomic Energy Commission utilized the same people on a range of projects during the 1990s and addressed technical problems akin to those in nuclear weapons development. These efforts, however, cannot be explicitly tied to an intention to revive a nuclear weapons program.

Despite this decay, Saddam did not abandon his nuclear ambitions. He made his view clear that nuclear weapons were the right of any country that could build them. He was very attentive to the growing Iranian threat, especially its potential nuclear component, and he stated that he would do whatever it took to offset the Iranian threat, clearly implying matching Tehran's nuclear capabilities.

Saddam observed that India and Pakistan had slipped across the nuclear weapons boundary quite successfully. Those around Saddam seemed quite convinced that once sanctions were ended and all other things being equal, Saddam would renew his efforts in this field.

The chapters dealing with chemical weapons and biological weapons tell somewhat different stories. In the chemical weapons area, the Iraqis had long experience with production and use of mustard and nerve agents. In Baghdad's view, these weapons saved Iraq from defeat in the war with Iran and, in combination with biological weapons capabilities, deterred the United States from deposing the regime in 1991. Following the Iran-Iraq War, Iraqi chemical weapons activity shifted from production to research and development of more potent and stabilized agents. In contrast to the nuclear field, chemical weapons work requires not thousands of scientists, but hundreds. The top expertise was developed among a few dozen scientists and chemical production engineers.

Once inspections began in 1991, Iraq chose to yield most of its weapons and bulk agent as well as the large facilities that were widely known to exist. As in the other WMD areas, Saddam sought to sustain the request knowledge base to restart the program eventually and, to the extent it did not threaten the Iraqi effort to get out from sanctions, he chose to sustain the inherent capability to produce such weapons as circumstances permitted in the future.

Over time and with the infusion of funding and resources following acceptance of the Oil-for-Food program, Iraq effectively shortened the time that would be required to reestablish the chemical weapons production capacity. Some of this was a natural collateral benefit of developing an indigenous chemical production infrastructure. By 2003, Iraq would have been able to produce mustard agent in a period of months and nerve agent in less than 1 or 2 years. We have not come across explicit guidance from Saddam on this point. Yet it was an inherent consequence of his decision to develop a domestic chemical production capacity.

Iraq denied it had offensive biological weapons programs to inspectors in 1991 and secretly destroyed existing stocks of weapons and agent in 1991 to 1992. Iraq decided to retain the main biological weapons production facility, but under a guise of using it to

produce single-cell protein for animal feed. These decisions were taken with Saddam's explicit approval. Saddam clearly understood the nature of biological weapons. He personally authorized their dispersal for use in 1991 against coalition forces, Saudi Arabia, and Israel. He clearly took steps to preserve this capability and was successful until 1995.

Preservation of Iraq's biological weapons capabilities was simpler than any other WMD area because of the nature of the material. First, the number of experts required is quite small, perhaps a couple dozen. Then too, the infrastructure to produce agent can be readily assembled from quite simple domestic civilian plants. Moreover, little, if any, activity would be necessary to keep this option on the shelf.

Some activity that might have been related to a biological program has been examined closely, including work with a bio-pesticide, bacillus thuringiensis. While this work could have been related to advancing Iraqi anthrax knowledge, information is inconclusive. This work could and certainly did sustain the talent needed to restart a potential biological weapons program. However, we can form no absolute conclusion whether this work represented active efforts to develop further anthrax programs. Given the developing infrastructure in Iraq in the late 1990s and early 2000, such a reconstitution could be accomplished quite quickly.

Other aspects of the Iraqi biological weapons program remain cloudy. For example, it is still difficult to rule on whether Iraq had a mobile biological weapons production effort or made any attempts to work with smallpox as a weapon. We were able to eliminate some of the questions and resolve some of the questions which circulated about the mobile question earlier, and I can deal with those in questioning.

What is clear is that Saddam retained his notions of the use of force and had experience that demonstrated the utility of WMD. He was making progress in eroding sanctions, a lot of progress, and had it not been for the events of September 11, 2001, things would have taken a very different course for the regime. Most senior members of the regime and scientists assumed that the programs would begin in earnest when sanctions ended, and sanctions were eroding.

A variety of questions about Iraqi WMD capabilities and intentions remain unanswered even after extensive investigation by ISG. For example, we cannot yet definitively say whether or not WMD materials were transferred out of Iraq before the war. Neither can we definitively answer some questions about possible retained stocks, though, as I say, it is my judgment that retained stocks do not exist.

Developments in the Iraqi Intelligence Services appear to have been limited in scope, and I am referring here to some laboratories which were discovered in late 2003 where the Iraqi Intelligence Service was found conducting some work in chemical and biological areas. But certainly these activities were not declared to the U.N. What did they really represent and was there a more extensive clandestine activity with another set of technical experts? We cannot say yet for certain.

Opportunities to develop new information are decreasing. However, I must mention that we just came into possession of a large number of documents recently accumulated by coalition forces. The number of these documents is approximately equal to the total received since the end of the war and it will clearly take many months to examine what has been found and provide an initial summary of what they contain.

Then too, we continue to receive a continuous stream of reports about hidden WMD locations. When such reports are judged sufficiently credible, ISG conducts an investigation. In fact, 2 weeks ago we had a source come to us with a partially filled canister from an old—and I repeat and underline, old—122 millimeter rocket round. These, like others recovered, are from pre-1991 stocks and, despite these reports and finds, I still do not expect that militarily significant WMD stocks are hidden in Iraq.

A risk that has emerged since my previous report to Congress is the connection of former regime chemical warfare expertise with anti-coalition forces. The ISG has uncovered evidence of such links and undertook a sizable effort to track down and prevent any lash-up between foreign terrorists or anti-coalition forces and either existing chemical weapons stocks or expertise from the former regime that could be used to produce such weapons. I believe we got ahead of this problem through a series of raids throughout the spring and summer. I am convinced that we successfully contained the problem before it matured into a major threat.

Nevertheless, it points to the problem that the dangerous expertise developed by the previous regime could be transferred to other hands. Certainly there are anti-coalition and terrorist elements seeking such capabilities.

It is my hope that this report will offer a generally accurate picture of the evolution and disposition of WMD within the former regime. I am quite aware that the Iraqis who participated in these programs will be reading this report and ultimately will comment upon it. I hope they learn from it and do not find too many errors.

I have spent hours with many of the Iraqi participants, both before the war as Deputy Chairman of the U.N. Special Commission (UNSCOM) in the 1990s and after the war when many were in custody. Many of these individuals are technocrats caught in a rotten system. Some, on the other hand, wholeheartedly participated in that system. In either case, Saddam channeled some of the best and brightest Iraqi minds and a substantial portion of Iraq's wealth toward his WMD programs.

It has of course been very difficult to discern the truth from these participants, given the mix of motivations that inescapably color the statements of those who remain in custody. It is sometimes very difficult to recognize the truth.

This applies to Saddam himself, especially so. He was a special case in all of this. We had the opportunity to debrief him for months, but he naturally had limited incentives to be candid or forthcoming at all. Nevertheless, many of his statements were interesting and revealing. In the end, only he knows many of the vital points. Even those closest to him had mixed understandings of his objectives. In fact, there was uncertainty among some of the closest advisors about WMD and whether it even existed.

With that, Senator, I will end my remarks. Thank you.
[The prepared statement of Mr. Duelfer follows:]

PREPARED STATEMENT BY CHARLES DUELFER

Thank you for inviting me to discuss my report with your committee.

The relationship between Iraq and the rest of the world has been complicated and dangerous for three decades, a dilemma that has confounded the international community through much of recent history. Three wars, devastating sanctions, and an endless progression of international crises have ended or ruined thousands of lives. The region and Iraq are both complicated and unstable, and obviously very dangerous. Weapons of Mass Destruction (WMD) have added to the uncertainty and risk posed by an unpredictable and clearly aggressive regime in Baghdad.

This report is not simply an accounting of the program fragments we have examined in the aftermath of the recent war and ongoing conflict, nor is it my aim merely to describe the status of a program at a single point in time. The complexity and importance of this question deserves a more synthetic approach, in my view. Instead, the objective of this report is to identify the dynamics of the regime's WMD decisions over time. I want to identify the area under a curve, not just a single point on a trend line that may be going up or down. This problem deserves calculus not algebra, and thus the report I have prepared attempts to describe the Iraqi WMD programs not in isolation, but in the context of the aims and objectives of the regime that created and used them.

I have also insisted that the report include as much basic data as reasonable and that it be unclassified. Since the tragedy that has been Iraq has exacted such a huge cost for so many for so long, I feel strongly that the data we have accumulated be presented in as thorough a manner as possible to enable others to draw their own conclusions. Certainly I have a concept of the dynamics that underlay the course that Saddam followed with WMD and this is conveyed in the report. Others, including Iraqis, may examine this and conclude otherwise.

STRUCTURE

The report consists of six chapters and includes at the end a timeline showing key events that bear on the Iraqi WMD program.

Aiming to introduce the reader to the Iraqi frame of reference, the report begins with an analysis of the nature of the regime and its aims in chapter one. As compared with most countries, fathoming the intentions of the regime is made easier in Iraq, because it really boils down to understanding one person—Saddam Hussein, who was the regime. The highly personalized nature of the Iraqi dictatorship under Saddam, with its multiplicity of security organs and unclear, often overlapping lines of authority progressively created a governmental system of operating alien to those steeped in the norms of western democracies. An understanding of the workings of the Iraqi system of governance is important, so that evidence—or lack of evidence—can be evaluated within the frame of reference of Baghdad and not the frame of reference of Washington, London, or Canberra.

For example, given the nature of Iraqi governance, one should not look for much of an audit trail on WMD. Even Saddam's most senior ministers did not want to be in a position to tell him bad news or make recommendations from which he would recoil. The most successful and long-lived advisors were those who could anticipate his intentions. Hence, there was a very powerful role for implicit guidance. This was particularly the case for the most sensitive issues—such as actions that related to human rights and weapons of mass destruction. This dynamic limits the evidence that one might expect to find, i.e. little documentation and senior advisors who could honestly say they never had instructions on certain matters. This, of course, makes it risky to draw conclusions about the absence of evidence, a continuous problem in Iraq.

Further obfuscating the picture is the fact that Baghdad had long experience in dealing with inspection by western outsiders. From the experience of dealing with U.N. inspectors the Iraqis learned a great deal about what signatures we looked for. Iraqis generally knew a lot more about us than we did about them. For various reasons, their ability and desire to conceal their intentions and capabilities were quite good.

Beyond a discussion of how the regime operated, the report also provides a sense of Saddam's goals, aspirations and political vision, as a means to better understand his decisions about WMD, their development, use, destruction, and role in the future realization of his political-military aims for the Iraqi nation. We have tried to understand his objectives and how he developed and used power. After the 1991 war, Sad-

dam established as his prime objective (after survival) the termination of U.N. sanctions on Iraq, and he weighed all policy actions and steps for their impact on this overarching objective.

Saddam committed the brightest minds and much national treasure to developing WMD. Moreover, Saddam saw this investment as having paid vital dividends. Senior Iraqis state that only through the use of long-range ballistic missiles and the extensive use of chemical weapons did Iraq avoid defeat in the war with Iran. There is also a second, less obvious instance where the regime attributes its survival to possession of WMD.

In the run-up to the 1991 war, Iraq loaded, dispersed and pre-delegated the authority to use both biological and chemical weapons if the coalition proceeded to Baghdad. The regime believes its possession of WMD deterred the U.S. from going to Baghdad in 1991. Moreover, it has been clear in my discussions with senior Iraqis that they clearly understand that they blundered in invading Kuwait before completing their nuclear weapons program. Had they waited, the outcome would have been quite different.

Finally, Saddam also used chemical weapons for domestic purposes—in the late 1980s against the Kurds and during the Shia uprisings after the 1991 war.

In this chapter, aspects of Saddam's decisionmaking were examined by the identification of several key inflection points, when Saddam made a choice affecting WMD. Several such points have been identified and dissected to see the dynamics of these decisions. These points noted in the timeline attached to the end of the report, portions of which are included at the end of individual chapters. The timeline is a useful tool through which to retain the ability to assess Iraq's WMD decisionmaking from Saddam's perspective and seeing WMD in that context.

This tool was also useful in tracking his strategy and tactics toward the United Nations and the sanctions imposed by the U.N. Security Council. Saddam's personal direction of much of Iraq's relations with the U.N. reflected his approach to influence and is described in some detail—again illuminated through examination of key decision points.

Overall, the hope is that not only will we see what Saddam decided to do with WMD, but why. This may be instructive for future policy considerations and certainly future intelligence considerations.

Chapter two is an extensive analysis of Iraq's financing and procurement, a bid to identify the resources available to Baghdad and examine how they were allocated. We made it a high priority to obtain complete information from the Oil Ministry and State Oil Marketing Organization. These data were extremely valuable in obtaining an understanding of how the regime operated and its priorities.

Our investigation makes clear that a top priority for Saddam was to escape the economic stranglehold of U.N. sanctions. Sanctions limited his ambitions in many ways, and took an enormous toll on Iraqi society. The disintegration of the middle class, civil infrastructure, the health system, and the blight on the hope of young Iraqis were clear through the 1990s. The U.N. Security Council, in attempting to mitigate the effects of sanctions on innocent Iraqis created the Oil-for-Food (OFF) Program. It is instructive that the regime rejected the opportunity to export oil for civil goods until conditions were so bad that they threatened the survival of the regime.

Chapter two makes clear the range of steps the regime took to erode support for, and the efficacy of, the U.N. sanctions program. The steps the regime took to erode sanctions are obvious in the analysis of how revenues, particularly those derived from the Oil-for-Food program, were used. Over time, sanctions had steadily weakened to the point where Iraq, in 2000–2001 was confidently designing missiles around components that could only be obtained outside sanctions. Moreover, illicit revenues grew to quite substantial levels during the same period and it is instructive to see how and where the regime allocated these funds.

ISG's investigation also makes quite clear how Baghdad exploited the mechanism for executing the Oil-for-Food program to give individuals and countries an economic stake in ending sanctions. The regime, following a pattern that Saddam has applied throughout his career, offered rewards and a rationale for accepting them, successfully arguing its case that the sanctions were harming the innocent, and that the moral choice was to elude and diminish them. It is grossly obvious how successful the regime was. It is also grossly obvious how the sanctions perverted not just the national system of finance and economics, but to some extent the international markets and organizations.

The Procurement and Finance section notes that a sizeable portion of the illicit revenues generated under the Oil-for-Food program went to the Military Industrial Commission (the government-run military-industrial establishment). The funding for this organization, which had responsibility for many of the past WMD programs

went from approximately $7.8 million in 1998 to $350 million in 2001. During this period of growing resource availability, many military programs were carried out—including many involving the willing export to Iraq of military items prohibited by the Security Council.

The remaining four chapters deal with the different types of WMD programs which Iraq had previously worked. The first of these, the Delivery System chapter, describes the work Iraq had been pursuing with respect to both missiles and unmanned aerial vehicles (UAVs).

Iraq continued to work on missile delivery systems in the wake of the Gulf war. Saddam drew a distinction between long-range missiles and WMD—a distinction not drawn in the U.N. resolutions. Iraq's missile development infrastructure continued to develop under sanctions, and included work on propulsion, fuels, and even guidance systems. As more funding became available following the implementation of the OFF program, Saddam directed more missile activities. In the later years, more foreign assistance was brought in—including both technology and technical expertise. While it is clear that Saddam wanted a long-range missile, there was little work done on warheads. It is apparent that he drew the line at that point—so long as sanctions remained. However, while the development of ballistic missile delivery systems is time consuming, if and when Saddam decided to place a non-conventional warhead on the missile, this could be done very quickly. The CW and BW warheads put on Iraqi missiles in 1990 and 1991, for example, were built in months.

A couple of points are of interest from the Iraq missile efforts. One is that they did not bide by the range limits set in U.N. Security Council Resolution 687. The range capabilities of the ballistic missiles they were developing exceeded the stated limits. Iraq also used components from SA–2 engines that they had expressly been prohibited. Iraq also produced fuel that was not declared. They also tested UAVs in excess of the range limits.

Iraq missile developers became so confident that others would violate the sanctions that they designed new missile systems which depended upon the import of guidance systems. Further, they drew upon the foreign expertise that was readily available for such areas as propulsion.

The chapter on nuclear programs reviews the program up to the 1991 war and describes the activities of the scientists and engineers following the war. The analysis shows that despite Saddam's expressed desire to retain the knowledge of his nuclear team, and his attempts to retain some key parts of the program, during the course of the following 12 years Iraq's ability to produce a weapon decayed.

Sanctions and inspections lasted longer that Saddam anticipated. The inspections were also more intrusive than expected. Therefore, retention of weapons material put at risk his higher immediate objective of escaping sanctions. Nevertheless, Saddam's son-in-law and chief weapons development manager, Husayn Kamal, directed that design information and very limited physical material be hidden from inspectors. These concealment efforts were successful until Husayn Kamal himself fled to Jordan in 1995.

There were also efforts to retain the intellectual capital of nuclear scientists by forbidding their departure from Iraq and keeping them employed in government areas. However, over time there was decay in the team. Unlike the other WMD areas, nuclear weapons development requires thousands of knowledgeable scientists as well as a large physical plant. Even with the intention of keeping these talented people employed, a natural decay took place and the time it would take for Iraq to build a nuclear weapon tended to increase for the duration of the sanctions. The Iraqi Atomic Energy Commission utilized the same people in a range of projects during the 1990s and addressed technical problems akin to those in nuclear weapons development. These efforts, however, cannot be explicitly tied to an intention to revive a weapons program.

Despite this decay, Saddam did not abandon his nuclear ambitions. He made clear his view that nuclear weapons were the right of any country that could build them. He was very attentive to the growing Iranian threat—especially its potential nuclear component, and stated that he would do whatever it took to offset the Iranian threat, clearly implying matching Tehran's nuclear capabilities. Saddam observed that India and Pakistan had slipped across the nuclear weapons boundary quite successfully. Those around Saddam seemed quite convinced that once sanctions were ended, and all other things being equal, Saddam would renew his efforts in this field.

The chapters dealing with CW and BW tell somewhat different stories. In the chemical weapons area, the Iraqis had long experience with production and use of mustard and nerve agents. In Baghdad's view, these weapons saved Iraq from defeat in the war with Iran and, in combination with BW capabilities, helped deter the United States from deposing the regime in 1991.

Following the Iran-Iraq war, Iraqi CW activity shifted from production to research and development of more potent and stabilized agents. In contrast to the nuclear field, CW work requires not thousands of scientists, but hundreds. The top expertise was developed among a few dozen scientists and chemical production engineers.

Once inspections began in 1991, Iraq chose to yield most of its weapons and bulk agent as well as the large facilities that were widely known to exist. As in the other WMD areas, Saddam sought to sustain the requisite knowledge base to restart the program eventually and, to the extent it did not threaten the Iraqi efforts to get out from sanctions, to sustain the inherent capability to produce such weapons as circumstances permitted in the future.

Over time, and with the infusion of funding and resources following acceptance of the Oil-for-Food program, Iraq effectively shortened the time that would be required to reestablish CW production capacity. Some of this was a natural collateral benefit of developing an indigenous chemical production infrastructure. By 2003, Iraq would have been able to produce mustard agent in a period of months and nerve agent in less than a year or two We have not come across explicit guidance from Saddam on this point, yet it was an inherent consequence of his decision to develop a domestic chemical production capacity.

Iraq denied it had offensive biological weapons programs to inspectors in 1991, and secretly destroyed existing stocks of weapons and agent in 1991–1992. Iraq decided to retain the main BW production facility, but under guise of using it to produce single-cell protein for animal feed. These decisions were taken with Saddam's explicit approval. Saddam clearly understood the nature of biological weapons. He personally authorized their dispersal for use in 1991 against coalition forces, Saudi Arabia and Israel. He clearly took steps to preserve this capability and was successful until 1995.

Preservation of Iraq's biological weapons capabilities was simpler than any other WMD area because of the nature of the material. First, the number of experts required is quite small, perhaps a couple dozen. Then too, the infrastructure to produce agent can be readily assembled from quite simple domestic civilian plants. Moreover, little, if any, activity would be necessary to keep this option "on the shelf".

Some activity that might have been related to a biological program has been examined closely, including work with a bio-pesticide, bacillus thuringiensis. While this work could have been related to advancing Iraqi anthrax knowledge, information is inconclusive. This work could and certainly did sustain the talent needed to restart a BW program; however, we can form no absolute conclusion on whether this work represented active efforts to develop further anthrax programs or not. Given the developing infrastructure in Iraq in the late 1990s and early 2000s, such a reconstitution could be accomplished quite quickly.

Other aspects of the Iraq BW program remain cloudy. For example, it is still difficult to rule on whether Iraq had a mobile BW production effort or made any attempts to work with smallpox as a weapon.

What is clear is that Saddam retained his notions of the use of force and had experience that demonstrated the utility of WMD. He was making progress in eroding sanctions and, had it not been for the events of September 11, 2001, things would have taken a different course for the regime. Most senior members of the regime and scientists assumed that the programs would begin in earnest when sanctions ended—and sanctions were eroding.

A variety of questions about Iraqi WMD capabilities and intentions remain unanswered, even after extensive investigation by ISG. For example, we cannot yet definitively say whether or not WMD materials were transferred out of Iraq before the war. Neither can we definitively answer some questions about possible retained stocks. Developments in the Iraqi Intelligence Services appear to be have been limited in scope, but they were certainly never declared to the United Nations. What did they really represent and was there a more extensive clandestine activity with another set of technical experts? We cannot say for certain.

Opportunities to develop new information are decreasing. However, I must mention that we just came into possession of a large number of documents recently accumulated by coalition forces. The number of these documents is approximately equal to the total received since the end of the war, and it will clearly take many months to examine what has been found and provide an initial summary of what they contain.

Then, too, we continue to receive a continuing stream of reports about hidden WMD locations. When such reports are judged sufficiently credible, ISG conducts an investigation. In fact, just 2 weeks ago a source provided a partially filled nerve agent container from a 122 mm rocket. This, like others recovered, was from old

pre-1991 stocks. Despite these reports and finds, I still do not expect that militarily significant WMD stocks are cached in Iraq.

A risk that has emerged since my previous status report to Congress is the connection of former regime CW experts with anti-coalition forces. ISG uncovered evidence of such links and undertook a sizeable effort to track down and prevent any lash-up between foreign terrorists or anti-coalition forces and either existing CW stocks or experts able to produce such weapons indigenously. I believe we got ahead of this problem through a series of raids throughout the spring and summer. I am convinced we successfully contained a problem before it matured into a major threat. Nevertheless, it points to the problem that the dangerous expertise developed by the previous regime could be transferred to other hands. Certainly there are anti-coalition and terrorist elements seeking such capabilities.

It is my hope that this report will offer a generally accurate picture of the evolution and disposition of WMD within the former regime. I am quite aware that the Iraqis who participated in these programs will be reading this report and ultimately will comment upon it. I hope they learn from it and do not find too many errors.

I spent hours with many of the Iraqi participants—both before the war as deputy chairman of UNSCOM in the 1990s and after the war when many were in custody. Many of these individuals are technocrats caught in a rotten system. Some wholeheartedly participated. In either case, Saddam channeled some of the best and brightest Iraqi minds, and a substantial portion of Iraq's wealth toward his WMD programs. It has, of course, been very difficult to discern the truth from these participants, given the mix of motivations that inescapably color the statements of those who remain in custody. It is sometimes very difficult to recognize the truth.

This applies especially to Saddam himself, who was a special case in all of this. We had the opportunity to debrief him, but he naturally had limited incentives to be candid or forthcoming at all. Nevertheless, many of his statements were interesting and revealing. In the end, only he knows many of the vital points. Even those closest to him had mixed understandings of his objectives. In fact, there was uncertainty among some of his closest advisors about WMD and whether it even existed. It is ironic that when he had the weapons, they saved him. When he did not have them, he was deposed.

Chairman WARNER. Thank you very much.

General.

STATEMENT OF BRIG. GEN. JOSEPH J. McMENAMIN, USMC, COMMANDER, IRAQ SURVEY GROUP

General McMENAMIN. Thank you, Mr. Chairman. Thank you very much for the opportunity to discuss the activities of the ISG. I have been in this position since June, when I replaced Major General Keith Dayton. During these months, the ISG has remained focused on searching for Iraq's WMD and associated WMD programs, supporting the effort to defeat the insurgency in Iraq and pursuing any additional leads concerning the fate of U.S. Navy Captain Michael Scott Speicher. In addition, the ISG has been supporting the Regime Crimes Liaison Office in its efforts to assist the Iraqi Special Tribunal.

Since Major General Dayton left, three things have changed that bear on the mission of the ISG. First, the U.S. transferred sovereignty to the Interim Iraqi Government on 28 June 2004. While we did not anticipate any major changes to our operating procedures, we did carefully consider the conduct of post-transfer missions and have worked to incorporate coalition combat units and the Iraqi Police Service whenever possible and practical.

Second, the United States Central Command transferred operational control of the ISG to the Multinational Force-Iraq. This shift was undertaken in conjunction with the transfer of sovereignty and occurred when all forces in Iraq were placed under the command of the Commanding General, Multinational Force-Iraq.

Third, there has been an increase in violence by former regime elements, foreign fighters, and common criminals, seeking to undermine and discredit the new Iraqi government.

While Mr. Duelfer discusses the ISG's substantive findings, which are treated in detail in his comprehensive report, I would like to touch briefly on the other missions. The Speicher team exhausted all in-country leads regarding the fate of Captain Speicher and departed the ISG in May. No new leads have been developed since their departure. All data previously collected with regard to the status of Captain Speicher is with the Defense Intelligence Agency (DIA), which is in the process of writing an updated report. As stated during previous testimony on this topic, the ISG will immediately pursue any new leads or data generated in Iraq on the status of Captain Speicher.

As for the counterterrorism mission, we are working at the direction of the Multinational Force-Iraq to help neutralize former regime elements involved in the insurgency, working targeting and collection packages on Zarqawi cells, and following closely any potential links between the terrorists and chemical weapons.

Our main support to the Regime Crimes Liaison Office is through the processing of documents in Qatar and Iraq and assisting with interviews of high-value detainees. The Regime Crimes Liaison Office funds their own activities. No intelligence funds are used for this effort.

The ISG will continue to support the DCI's post-report requirements on WMD and the counter-insurgency fight in Iraq. The dedication, professionalism, and enthusiasm of all members of the team have ensured that the missions assigned have been carried out thoroughly and in a professional manner.

Mr. Chairman, thank you for inviting me to speak to the committee today. I will finish this statement by thanking all of you for your support for what we have undertaken in the ISG and the continuing support you provide to the Americans, Australians, and British, both military and civilian, who risk their lives daily in this endeavor.

Thank you, sir.

[The prepared statement of General McMenamin follows:]

PREPARED STATEMENT BY BRIG. GEN. JOSEPH J. MCMENAMIN, USMC

Thank you, Mr. Chairman, for the opportunity to meet with the committee today. It is a pleasure to speak with all of you today about the efforts of the great American, Australian, and British members of the Iraq Survey Group (ISG).

I have been in position since June of this year when I replaced Major General Keith Dayton. During these months, the ISG has remained focused on searching for Iraq's weapons of mass destruction and associated WMD programs, supporting the effort to defeat the insurgency in Iraq and pursuing any additional leads concerning the fate of U.S. Navy Captain Michael Scott Speicher. In addition, the ISG has been supporting the Regime Crimes Liaison Office in its efforts to assist the Iraqi Special Tribunal.

As the Special Advisor to the DCI on Iraq's Weapons of Mass Destruction Programs, Mr. Duelfer will discuss the ISG's substantive findings, which are treated in detail in his Comprehensive Report. My job has been to lead the military and civilian personnel who implement his collection and analytical guidance in a bid to uncover the truth about Iraqi WMD. I am also personally responsible for a wide range of other mission areas outside of Mr. Duelfer's responsibilities, as well as the safety and security of ISG personnel throughout Iraq and all personnel living at Camp Slayer.

Since Major General Dayton left three things have changed that bear on the mission of the ISG. First, the U.S. transferred sovereignty to the Interim Iraqi Government on 28 June 2004. While we did not anticipate any major changes to our operating procedures, we did carefully consider the conduct of post-transfer missions and have worked to incorporate coalition combat units and the Iraqi Police Service wherever possible and practical. Second, United States Central Command transferred Operational Control of the ISG to Multi-National Force Iraq. This shift was undertaken in conjunction with the transfer of sovereignty and occurred when all forces in Iraq were placed under the command of the Commanding General, MNF–I. Third, there has been increasing violence by former regime elements, foreign fighters, and common criminals seeking to undermine and discredit the new government.

The ISG currently consists of approximately 1,750 people, including personnel from the United States, the United Kingdom, and Australia, of whom approximately 750 work in Iraq. Except for a handful of logistics personnel in Kuwait, the remaining 1,000 personnel work in Qatar. We employ over 770 linguists from a wide variety of Arabic speaking countries at our Qatar and Iraq locations. The United States contingent continues to represent a strong multi-disciplinary, interagency team with participation from the Defense Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Central Intelligence Agency, all the armed services (to include active, Guard, and Reserve components), and the Departments of Justice, Treasury, and Energy. We expect our manning in Qatar to remain constant, but anticipate that our numbers in Iraq will decrease as we identify post Comprehensive Report requirements.

The ISG is still based out of Camp Slayer, Iraq, near the Baghdad International Airport. We continue to conduct debriefings of the High Value Detainees at Camp Cropper. Initially, there was some confusion as to our ability to continue debriefings after the assumption of sovereignty by Iraqi authorities. We quickly determined, however, that we could conduct the debriefings under UNSCR 1546 and the letters annexed to the resolution. The only detainees we cannot interview are those who have been charged with crimes by the Interim Iraqi Government. Our expertise with the HVDs has been invaluable to the Regime Crimes Liaison Office and its support of the Iraqi Special Tribunal. We maintain a very good relationship with MNF–I's Detainee Operations and the Military Police assigned at Camp Cropper. This relationship is an example of unity of effort by several commands for a single purpose.

The ISG continues to operate the Combined Media Processing Center-Main (CMPC–M) at Camp As Saliyah in Qatar. We also operate Combined Media Processing Center-Baghdad (CMPC–B) with three satellite locations. The numbers of personnel in Qatar have risen and we now have hundreds of linguists, analysts, and administrators working to triage, gist, and load the documents and other media into national databases. We completed scanning the bulk of the initial captured material during June, but we have recently acquired a large amount of additional material from various locations that needs to be triaged and scanned. Our document exploitation effort also supports the work of the Iraqi Special Tribunal through the Regime Crimes Liaison Office (RCLO) and the U.S. Department of Justice has established a cell located within our Qatar operation to support the prosecution of regime officials. The Department of Justice provides funding for all RCLO and DOJ support, no intelligence funds are used to support these law enforcement activities. To date 91 percent of the material translated or gisted has related to the search for WMD, principally in the areas of procurement and delivery systems. We have loaded close to 150,000 files into the Harmony database, each of which consists of the original scanned document, the meta-file describing the document, and a gist or full translation.

Our location at Camp Slayer is the hub for conducting ISG operations, analyzing the information gathered and providing command and control for the ISG. While our structure continues to evolve, we continue to maintain the organization of functional teams that conduct analysis and identify requirements for the collectors. Once a requirement is identified, an Operational Planning Team is formed from internal and, as required, external units. A task organized team with supporting units is built around analysts and subject matter experts, interrogators/debriefers, linguists, document exploiters, a chemical exploitation team and a Mobile Collection Team Commander. NOA provides mapping support and NSA provides target coverage. These task organized teams are led by and composed of coalition members and U.S. intelligence organizations.

While Mr. Duelfer will address the ISO's substantive findings, let me provide some information on the scope of work that went into supporting the writing of the report as of 24 September. In recent months the ISO has:

- Executed 2,700 Missions
- Visited 1,200 different WMD Sites (Some more than once)

- Published 4,000 Intelligence Information Reports
- Conducted 4,100 Debriefings
- Scanned and Processed over 40 Million Pages of Documents
- Processed 28,000 Digital Media Sources
- Processed over 4 million Analog Media Sources

ISG was given commander's guidance from MNF–I in two areas related to counterterrorism. The first was to assist in the defeat of Former Regime Elements. The second part of the commander's guidance was to assist in preventing a strategic surprise from Anti-Iraqi Forces using WMD. Through 21 September, ISO has published 680 intelligence reports supporting the counterterrorism/counterinsurgency mission. To reduce the chance of former regime scientists from linking with Anti-Iraqi Forces we developed contacts with the Iraq Ministry of Science and Technology and continue to work with the American Embassy on the scientist redirection program.

The Speicher team exhausted all in-country leads regarding the fate of Captain Speicher and departed the ISO in May. No new leads have been developed since their departure. All data previously collected with regard to the status of Captain Speicher is with DIA which is in the process of writing an update report. As stated during previous testimony on this topic, the ISG will immediately pursue any new leads or data generated in Iraq on the status of Captain Speicher.

In the area of security, we continue to make improvements in force protection measures to protect our people, whether they are on the road or in garrison. Although Camp Slayer has been attacked by both mortars and rockets, thankfully there have not been any casualties. I can't say enough about the support of the fine soldiers of the Pennsylvania and Kansas Army National Guardsmen and Reserve Component on whom I rely on heavily for force protection, escort missions and supporting camp operations.

There continue to be many challenges facing the Iraq Survey Group. We are currently developing a collection plan to gather information on the intelligence gaps identified in the Comprehensive Report. We will need to reevaluate the work load and processing time it will take to triage, scan, and gist the additional documents recently turned over to the ISG. We will need to balance our work load to ensure that MNF–I is supported during the crucial periods between now and the Iraqi elections. Both the Iraqi government and MNF–I are focused on protection of key leaders and infrastructure, census taking, elections, rebuilding, and a rising level of violence that the Iraqi government needs to counter by establishing and training effective security forces.

Mr. Chairman, thank you for inviting me to speak to the Committee today. The dedication and enthusiasm of all members of the team have ensured that the search for the truth about Iraq's weapons of mass destruction has been carried out thoroughly and in a professional manner. I will finish this statement by thanking all of you for your support for what we have undertaken in the Iraq Survey Group and the continuing support you provide to the Americans, Australians, and British, both military and civilian, who risk their lives daily in this endeavor.

Chairman WARNER. Thank you very much, General.

We will proceed with a 6-minute round of questions.

Mr. Duelfer, you spent a good deal of your professional career examining Iraq and you were at one time a weapons inspector. Would you sketch that brief career or give us a brief description?

Mr. DUELFER. I was chosen by Ambassador Ekeus to be his deputy at the U.N. Special Commission on Iraq in 1993, and so I was the deputy chairman of that U.N. organization for several years. In fact, I was the acting chairman of it at the end, when the UNSCOM ended and a new organization called the U.N. Monitoring, Verification, and Inspection Commission, which was headed by Dr. Hans Blix, began. That caused me to have a great deal of contact with the Iraqis, spend a lot of time in Iraq, and talk with the people involved in these programs.

Then the DCI asked me, in January, if I would take the position as his Special Advisor on Iraq WMD, to succeed David Kay.

Chairman WARNER. We are fortunate you did.

My question will be very simple. It is asked frequently and it is discussed frequently. Is it your professional judgment that the world is better off with Saddam Hussein now in custody, facing the rule of law?

Mr. DUELFER. In my opinion there was a risk of Saddam Hussein being in charge of a country with that amount of resources and with that amount of potential for both good and evil. What Iraq was, under Saddam, and the potential of what it could be, there was an enormous difference.

The trends I think are important. Our analysis in this study was to not look at a single point in time, but to look at dynamics and trends. He clearly had ambitions with respect to WMD. He clearly had a strategy and tactic to get out of the constraints of the U.N. sanctions. He was clearly making a great deal of progress on that.

But for the intervention of the events of September 11, I think the world would be in a very different position right now.

Chairman WARNER. In conclusion, the world is better off with Saddam Hussein now in custody, facing the rule of law to account for his crimes?

Mr. DUELFER. I am an analyst and I realize I am in a political world right now, but I have to agree analytically, the world is better off.

Chairman WARNER. I thank you for that straightforward response, and it is predicated on many years of dedicated service.

Mr. DUELFER. Thank you.

Chairman WARNER. Do you think that situation could have been achieved without the intervention of the coalition forces and the active use of military force in what appeared to be a complete and utter breakdown of diplomacy to achieve the goals that we have thus achieved, making the world better off?

Mr. DUELFER. The way that question is sometimes framed, sir——

Chairman WARNER. Why don't you reframe it in a manner with which you are more comfortable. I will get to it if I feel necessary and revise it. You go ahead.

Mr. DUELFER. It is clear that Saddam chose not to have weapons at a point in time before the war.

Chairman WARNER. Now, let us explain which war. You are talking about the second one?

Mr. DUELFER. The most recent one.

Chairman WARNER. That is correct.

Mr. DUELFER. When we look at the frame of reference that Saddam saw around him, he saw U.N. sanctions, he saw forces around him, he saw diplomatic isolation after September 11. He saw his revenue streams dropping. He chose, at that point in time, to allow U.N. inspectors in.

As an analyst, I looked at that and I asked were those conditions sustainable? I find it hard to conclude that those conditions were stable or sustainable. So while Saddam chose not to have weapons at that point in time, the conditions which caused him to make that decision were, A, not sustainable; and B, extremely expensive, not just for the international community, but for the Iraqis themselves.

Over the last decade, observing what happened to the civilian infrastructure of Iraq under the sanctions is stark. I mean, here is a country with enormous talent. The people are educated, westward-leaning for the most part. They had a great education system. Watching that decay under sanctions was not a pleasant experience. There was an enormous price for that.

Those are some of the factors. Others will look at the data and draw other conclusions, but my opinion is that the conditions were not sustainable over any lengthy period of time.

Chairman WARNER. Had he lost his life by whatever means and the assets that he then had under his control had fallen into the hands of one or several of his children, particularly his sons, they clearly presented an equally, if not greater, danger to the world; am I not correct?

Mr. DUELFER. From the discussions of the top people around Saddam—his ministers, military leaders—they were not fond of Saddam's offspring, and these people had a high tolerance for tough behavior. So I would have to agree with you that a succession from Saddam to one of his offspring, while it is hypothetical and it is hard to imagine exactly how that would play out, was not a pleasant prospect.

Chairman WARNER. Did you assess how many of the 17 U.N. resolutions, that your facts clearly indicated, Saddam was violating?

Mr. DUELFER. It was not our task explicitly to match up what we found on the ground against what the U.N. was requiring, although, because of my background, I certainly had an interest in it. It was quite clear that many of the things that we found were in clear violation of the U.N. requirements. He had missiles which exceeded the range. There was a lot of equipment which should have been declared. There were laboratories which should have been declared. In each of the weapons areas there were materials or things which were, to some extent, in violation of the U.N. sanctions.

Chairman WARNER. Let us go back to the U.N. Security Council resolution and what you now know about the likelihood of the absence of large stockpiles of prohibited WMD. Can you explain why Saddam Hussein did not avail himself of the final opportunity to demonstrate full and immediate compliance with U.N. Security Council Resolution 1441, thereby having avoided the use of force?

Mr. DUELFER. Senator, it is a question which many of us have puzzled over. In fact, many very senior Iraqis have puzzled over the same question. It really requires you to get into Saddam's mind, and the answer is it is difficult to know for certain. Certainly some of his senior advisors, foreign affairs advisors, argued that, shortly after September 11, they should have just very fully complied without hesitation, without trying to negotiate.

But what they say is that Saddam always wanted to negotiate. If he was going to accept inspectors coming in, he wanted to get something for it. He wanted to get sanctions lifted. He kept trying to bargain and barter, and he had not realized the nature of the ground shift in the international community. That was Saddam's intelligence failure. He did not understand very quickly the radical change of the international landscape.

One can understand that to a certain extent because in the period leading up to September 11 there was a great deal of sympathy for his regime. Baghdad was filled with businessmen. The international fair that Baghdad runs was often filled with lots of companies. They were making lots of transactions, in full violation of the sanctions. The ministers around Saddam, and Saddam himself, expressed the opinion that sanctions were about to end through erosion, through their own collapse.

So the radical change in a sense that occurred in the international community following September 11, took a while to penetrate in his judgment.

Chairman WARNER. Given that 1441 was clear, it seems to me you could draw the conclusion that, his failure to avail himself, to avoid that destruction, and to enable him to remain in power shows a very irrational mind. Certainly, an irrational mind that was a danger to the world.

Mr. DUELFER. Saddam is certainly dangerous. He certainly demonstrated the ability to make monumental mistakes. I remember a conversation I had with Tariq Aziz when I asked him: why did you invade Kuwait before you had a nuclear weapon? He more or less shrugged and pointed to the picture on the wall. The picture on the wall, in virtually any room you were in in Iraq, in those days was Saddam.

So he is very shrewd. He has an exquisite sense of what motivates people, often at the basest level. But he is enormously susceptible to making hugely dangerous decisions.

Chairman WARNER. Thank you.

Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman.

On page 64 of your report you say that, "The Iraq Survey Group has not found evidence that Saddam Hussein possessed weapons of mass destruction stocks prior to the war." Is that correct?

Mr. DUELFER. That is correct.

Senator LEVIN. Now, in addition to that, what you are telling us today is that, in addition to having no WMD stocks before the war, for the reasons you gave Saddam chose not to have those weapons. Is that correct?

Mr. DUELFER. That is correct.

Senator LEVIN. Those are stunning statements. Not only did he not have WMD, but, for the reasons you gave, he chose not to have WMD. That is 180 degrees different from what the administration was saying prior to the war. They were saying that he had stockpiles of WMD and indeed had an active effort to acquire more and was a threat for that reason.

I just want to focus, not just on your speculation about intentions, which I think anyone can speculate on and it is fair enough to speculate on them, but in terms of the facts that you found, which are what you were assigned to find, to find the facts one way or another. Those particular facts it seems to me are pretty stunning.

You also found, on page 7 as I read your report, that "Iraq did not possess a nuclear device, nor had it tried to reconstitute a capability to produce nuclear weapons after 1991." Did I read that correctly from your report?

Mr. DUELFER. Sir, I am sure you read it correctly. But if I might respond a bit to your premise, you used the word "speculation" and again as an analyst I would say it is not really speculation. What we were trying to do is derive information from the people we had the opportunity to talk to first-hand, including Saddam. So I just have to come back a little bit on that, with all due respect.

Senator LEVIN. That is all right.

But now I want to get to your nuclear program statement. You say that you found, as a matter of fact, that Iraq had not tried to reconstitute a capability to produce nuclear weapons after 1991. Therefore, it seems to me, you are saying that Iraq had no active nuclear weapons reconstitution program before the war. Is that correct?

Mr. DUELFER. What we said was that there was an attempt to sustain the intellectual capability and to sustain some elements of the program, particularly before 1995. But active nuclear weapons program, no, we found no evidence, nor do we judge that there was one.

Senator LEVIN. All right. Now, relative to the aluminum tubes, your report says on page 21 that, "Baghdad's interest in high-strength, high-specification aluminum tubes is best explained by its efforts to produce 81-millimeter rockets." Is that correct?

Mr. DUELFER. That is correct. That is my judgment, that those tubes were most likely destined for a rocket program.

Senator LEVIN. Although you uncovered inconsistencies that raised questions about whether high-specification aluminum tubes were really needed for such a rocket program, in your words, "These discrepancies are not sufficient to show a nuclear end use was planned for the tubes." Is that your judgment?

Mr. DUELFER. That is my judgment, recognizing that in Iraq the types of logic that we apply here do not always apply there.

Senator LEVIN. That is your best judgment?

Mr. DUELFER. Correct.

Senator LEVIN. Now, you also found, on page 7 in the nuclear section, that "The Iraq Survey Group has uncovered no information to support allegations of Iraqi pursuit of uranium from abroad in the post-Operation Desert Storm." In another page you said that "The Survey Group has not found evidence to show that Iraq sought uranium from abroad after 1991." Is that your judgment?

Mr. DUELFER. That is also what we found.

Senator LEVIN. Now, relative to the mobile biological weapons production program, this is what you have stated in your report, "In spite of exhaustive investigation, the Survey Group found no evidence that Iraq possessed or was developing BW agent production systems mounted on road vehicles or railway wagons." Is that your conclusion?

Mr. DUELFER. I am going to go a little longer on my response to that because it is a more complicated question or issue and the biology area is one where there is less certainty possible. Part of that is due to the nature of the programs. If you were to do sensitivity analysis about that, little facts can make a big difference in that area.

On the mobile production systems question, there were two trailers which were found in, I believe, May 2003. One found in Irbil

and one in Mosul. Those are clearly, in my judgment, for the production of hydrogen. They have absolutely nothing to do with any biological weapons.

A second question arose from reports, largely from one individual, about a production facility which was mobile. These were quite detailed reports, and to the extent we have been able to investigate that, we believe two things: One, that much of what this person said is incorrect. Some of what he did say was correct, but the majority of the evidence which he was pointing to as a mobile production facility was wrong.

However, this is one of those issues where I am not quite comfortable in pronouncing that there was no mobile system in Iraq. We believe we have done as much investigation as we can. We have found no evidence. But I feel a little bit hesitant about declaring flatly that there was no mobile production facility. It is one of those cases where there may be some uncertainty.

Senator LEVIN. Just in conclusion, though, the two trailers that were captured in 2003 that were stated to be part of a biological warfare program for the delivery of biological warfare, manufacture of biological warfare, those particular trailers you have found were, in fact, not part of a biological warfare program, is that correct?

Mr. DUELFER. Correct.

Senator LEVIN. Because those are the two trailers that the Vice President pointed to as definitively being the evidence of the biological warfare program and the evidence of WMD. Those were the very trailers that the Vice President said, "This is the definitive evidence that Saddam Hussein had a weapons of mass destruction program." Now you are coming here today relative to those two trailers and telling us that, in spite of exhaustive investigation, you found no evidence that Iraq possessed or was developing biological warfare agent production systems mounted on road vehicles or railway wagons, and that those particular trailers were designed and built exclusively for the generation of hydrogen, which is a totally different purpose. Is that correct? Those trailers, just focus on those trailers.

Mr. DUELFER. The two trailers that were captured in Irbil and Mosul are for the production of hydrogen. In my judgment, my firm judgment, and the judgment of most of the people who have looked at them, all of our experts, they have nothing to do with biological weapons.

Senator LEVIN. Thank you for that testimony. It just totally undercuts the statements which were made by the Vice President. Thank you.

Chairman WARNER. Were you able to give a full response to that question? I want to make sure that the record has all of your thinking on it.

Mr. DUELFER. The question of those two trailers is, to me, separate and distinct from the question of whether Iraq had a mobile biological weapons program. Our efforts to fathom that possibility departed from a source who subsequently turned out to be largely a fabricator. That does not mean there was not an Iraqi mobile biological production capability. But we have not found evidence of that.

Again, the biology area is an area where, because it takes very few people, it takes very little in the way of resources, it is one of the areas where I think there is some risk that we might find new information that might change the content of this report.

Chairman WARNER. Very little area to conceal it, am I not correct?

Mr. DUELFER. It takes very little area to conceal.

Chairman WARNER. I thank you.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Duelfer, and thank you, General, for your great work.

I have a follow-up. So therefore, knowing the history of Saddam Hussein, his use of WMD, he had them in 1991, is there any doubt in your mind that if Saddam Hussein were in power today and there were no restrictions or sanctions placed on him that he would be attempting to acquire WMD, Mr. Duelfer?

Mr. DUELFER. To me, I think that is quite clear. But more importantly, it was quite clear to many of the senior advisors around Saddam. He had an exquisite sense of the use of power and influence. To him it was a continuous spectrum—oil, military force——

Senator MCCAIN. So there is no doubt in your mind, he is in power today, the sanctions are gone, he would be pursuing them, because that was his history?

Mr. DUELFER. He had two life experiences where they saved him, which is I think why some of the prewar assessments were colored. I mean, people would kind of look at it and say, why would he not have these things.

Senator MCCAIN. Okay, let me lead you through a couple of questions here because we have only 6 minutes. There is the belief purveyed by some that there was a status quo in Iraq where basically the sanctions were in effect and things were fairly normal, and so therefore we really had a choice between the status quo and an attack on Saddam Hussein.

Is it not more likely, as you have stated in previous testimony, the sanctions were being eroded and American airplanes were being shot at. As you just mentioned, businessmen all over Baghdad were thinking that it was a matter of time before the sanctions were lifted; we have a burgeoning scandal in the Oil-for-Food program, and there was not a status quo? In other words, there was a steady deterioration of any restraints, real or imagined, that Saddam Hussein may have felt? Is that an accurate assessment of the situation in Baghdad?

Mr. DUELFER. That is a very accurate assessment. We spent a fair amount of time analyzing exactly that and trying to understand the strategy and tactics which Iraq was using to encourage the decay of sanctions.

Senator MCCAIN. So we did not have a choice between maintaining the status quo and attacking Saddam Hussein. We had a situation which was rapidly deteriorating and eventually over time, in the view of most experts, Saddam Hussein would have been either relieved of or would have evaded these sanctions as more and more business was done and less and less actions on the part of the U.N. in enforcing those sanctions?

Mr. DUELFER. Sir, I think we detail, at great length, exactly those sorts of conditions, but we allow for others to draw their own conclusions. But my personal view is that the sanctions were in free fall. They were eroding and there was a lot of corruption. Were it not for September 11, I do not know that they would exist today.

Senator MCCAIN. There is also the belief in some circles that this was an idea that was hatched either in the Department of Defense or somewhere in the White House right after September 11: Let us go attack Saddam Hussein, and we will invent this WMD issue sort of as a pretext for it, and that there was really a hidden agenda there.

Why, in your viewpoint, did every single intelligence agency on Earth that I know of, the British, our friends the French, the Germans, the Israelis, every single intelligence agency believed, as our intelligence agency did, that Saddam Hussein had WMD? How do you account for that?

Mr. DUELFER. Well, sir, that was not really my mandate. However, I do have an opinion.

Senator MCCAIN. I would appreciate your opinion.

Mr. DUELFER. I think there are a lot of factors involved in that. One, as I mentioned before, Saddam had an experience where these weapons were vital to him, so why would he not have them? Sort of logically, why would he not?

Second, the United States had almost no contact with Iraq over more than a decade. To me, I sometimes forget that because I spent a lot of time there myself, but that was because I was with the U.N. That means that the analysts who were forced to make judgments about this were actually in a very poor position. They did not have any ground truth. They spent a lot of time looking at computer screens, but not a lot of time talking to Iraqis, not a lot of time walking around Iraqi plants and getting a feel for it.

For example, if someone associates a particular vehicle with a chemical weapons program, as was done—there is something called a Samarra Decon vehicle. If you spend much time in Iraq you would realize the Iraqis could be selling ice cream out of those vehicles. To associate a particular vehicle with a particular program, it is that kind of a feel for the ground that was rare in the United States.

Also, Saddam, as we learned from talking with him, was deliberately ambiguous. He gave a speech, I remember it quite well, in June 2000 where he said in essence: "You cannot expect Iraq to give up a rifle and live only with the sword if its neighbors do not give up rifles and live with swords." He wrote his speeches himself largely, by the way. Now, that is kind of typical Saddamese, but it makes you think, well, he is saying he is going to hang onto his WMD.

So we asked him what he meant by that. He said he had two audiences in mind. This is a rare time when I think he actually was candid. He said he had two audiences. One was the Iranian threat, which for him was quite potent, palpable. The Iranian threat was very palpable to him, and he did not want to be second to Iran and he felt he had to deter them. So he wanted to create the impression that he had more than he did.

Senator MCCAIN. So every intelligence agency was fooled by him?

Mr. DUELFER. Including to a certain extent the Iraqi intelligence agency, because there were many Iraqis who were not convinced that there either were or were not special weapons within their arsenal.

Senator MCCAIN. My time has expired, Mr. Chairman. I am serving on the Weapons of Mass Destruction Commission. We need to find out why we are all so wrong. But I think it is important for everybody to keep in mind that it was every intelligence agency on earth that came to the same conclusion, and that is an important factor as we move forward with this continuing ongoing national debate about whether we should have attacked Iraq or not and whether there was sufficient justification for doing so, and if so why.

I thank Mr. Duelfer. I appreciate your coming here at a very sensitive political time. I appreciate your candor, and I also understand that it is very inappropriate for you to get into any of the domestic policies, politics, of this country. I thank you. I thank you, too, General.

Chairman WARNER. Thank you.

For the record, did you believe Saddam had WMD just prior to the use of force?

Mr. DUELFER. My judgment was, I was at a think tank at the time, that I expected there to be a small number of ballistic missiles that would serve a function as a strategic reserve. I believed that he would have retained the capability to produce chemical or biological agents, but not have stocks.

I felt that at the time he was keeping his nuclear expertise in four or five key facilities so that they would be better positioned to restart that program. Like others, this was an imperfect assessment. But that was basically from my experience at the U.N. Special Commission, from the unanswered questions.

But I must say that when they took the decision, in February 2000, to begin discussions with the U.N. about readmitting inspectors, to me that was a very key indicator that there probably weren't large stocks there to be found.

Chairman WARNER. Thank you.

Senator Kennedy.

Senator KENNEDY. Thank you, Mr. Chairman.

I join my colleagues in expressing great appreciation for your service to our country. Let me just continue this thought, Mr. Duelfer. What would you say, on a scale of 0 to 100, is the likelihood that we will ever find the stockpiles of WMD that the President spoke about prior to the war?

Mr. DUELFER. I think the prospects of finding, and I sound like I am trying to create jargon here, a significant stockpile is, I do not know, less than 5 percent.

Senator KENNEDY. It is less than 5 percent. You have more than 1,000 people on your staff now. Press reports indicate that we have spent more than $900 million on the search for WMD, and your testimony says that you just obtained large numbers of documents that are approximately equal to the total previously received since the end of the war, and that will clearly take many months to examine.

But is this not a total waste of money? Why does the search keep going on and on and on? Are we not at the point where we have to admit the stockpiles do not exist and this has obviously become a wild goose chase? The Bush administration had hoped we would find something, anything to justify the war. But instead, you basically nailed the door shut on any justification for the war.

At the present time, David Kay told Congress that there are approximately 130 known Iraqi ammunition storage points in Iraq, some of which exceed 50 square miles in size, hold an estimated 600,000 tons of artillery shells, rockets, aviation bombs, and other ammunition. The real question is whether these sites are adequately protected today or are they available to the insurgents.

So, General McMenamin, can you assure us that all these sites are tightly secured by U.S. forces and no weapons could fall into the hands of the insurgents?

General MCMENAMIN. Sir, I cannot assure you that will happen. On the larger ones, we have security forces and overhead imagery. There is an active program, ongoing to destroy excess munitions around the country. On a regular basis, we are destroying excess captured munitions to keep them out of the hands of the insurgency.

As the Iraqi forces come on line in their security efforts, they will be able to take over and protect those assets to prevent them from falling into the wrong hands.

Senator KENNEDY. My question is wouldn't the resources that you are spending to find WMD, that evidently do not exist, be better spent on weapons that do exist and that are threatening American servicemen every single day?

Mr. DUELFER. Sir, if I might just respond a bit on that. My task was not to find WMD. My task was to find the truth. I am quite proud of the work that we have done to delineate the program and to describe in detail, which anyone else can examine, what we did find.

I am not suggesting that we should continue searching this. I think the staffing and the requirements to continue resolving these small remaining uncertainties is small. So you say wild goose chase. We have had a couple people die and we have had many people wounded. To tell them they have been involved in a wild goose chase to me is—it is not really what we were doing. We were meant to find what existed with respect to WMD. We were not tasked to find weapons. We were tasked to find the truth of the program, and that is what we tried to relate in this, and I think it was a worthwhile endeavor.

Senator KENNEDY. We all understand that anyone who is wounded or dies in Iraq is a hero. They are there to serve, and the political decisions are made to send them over there. For all of us who have expressed concerns about this war, have the highest regard and respect for them.

But the fact is we have had many distortions, misrepresentations about the facts. The American people are entitled to facts. John Adams says "Facts are stubborn things." We have seen distortions and misrepresentations about what is absolutely there. It is fair enough to wonder whether the $900 million that we are spending, that you say is a very remote likelihood of finding WMD, should

not be spent in other areas to guard what David Kay said was necessary to guard if we wanted to try to have an impact in terms of the Americans.

With all respect, Mr. Duelfer, we did not go to war because of Saddam's intent or future capability to produce the WMD. We were told that Saddam already had stockpiles of chemical and biological weapons and that he could acquire a nuclear weapon within a year, which he could then give to terrorists. That is what we were told.

I understand from your testimony, that you mentioned out here in response to Senator Levin, Iraq did not possess a nuclear device, nor did it try to reconstitute a capability to produce nuclear weapons after 1991. Your report talks about Saddam's intent and future capability. That is not what the American people were told. President Bush said on September 27, "Saddam must be prevented from having the capacity to hurt us with a nuclear weapon or to use the stockpiles of anthrax that we know he has"—"that we know he has"—"VX, the biological weapons which he possesses."

Ten days later President Bush unequivocally stated: "Iraq possesses and produced chemical and biological weapons." He continued on October 7, "The evidence indicates that Iraq is reconstituting its nuclear weapons. If the Iraq regime is able to produce, buy, or steal, it could have a nuclear weapon."

Secretary Rumsfeld said: "With regards to weapons, we know where they are. They are in the area around Tikrit, Baghdad, east-west." That is what the Secretary of Defense is telling the American people.

You have not been able to find them.

Mr. DUELFER. Sir, I have spent more time with the Iraqi Secretary of Defense than the American Secretary of Defense. Ask me about Iraqis.

Senator KENNEDY. I want to thank you very much.

Mr. DUELFER. Thank you.

Chairman WARNER. Thank you very much.

Have you had adequate time to respond to Senator Kennedy's questions?

Mr. DUELFER. I think so, yes.

Chairman WARNER. Fine. Thank you.

Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman.

It seems as if we are talking about the two assumptions that took this administration into this war, I am very thankful that we are in this war, having to do with people disavowing that there is a connection between al Qaeda and Saddam Hussein. I just think it is important to have in the record, Mr. Chairman, some facts here. One was one of the reports that was disclosed about a year ago, in terms of the connection, that a highly classified 16-page defense document, memorandum has not been refuted to this time.

It says that: "The unavoidable conclusion, Saddam Hussein's regime had been guilty as charged, tied for more than a decade to Osama bin Laden and his al Qaeda network for the purpose of waging attacks on their mutual foe, the United States of America. Top Iraqi intelligence officials and other trusted representatives of Saddam Hussein met repeatedly with bin Laden and his subordinates. U.S. intelligence received reports that Iraq provided safe ha-

vens, money, weapons, and fraudulent Iraqi and Syrian passports to al Qaeda, and also provided training in the manufacture and the use of sophisticated explosives." We know about that. Mohamed Haikmot Shakir facilitated the movement of two of the September 11, 2001, hijackers, Khalid Midhar and Nawak al-Hamsi, through the passport control center and there were four meetings between Mohamed Atta and intelligence officials of Iraq.

All of these things were drawing that connection, and I think we have adequately covered the fact that WMD were certainly expected to be there by every intelligence force, including ours. Senator Kennedy mentioned Dr. Kay and I can recall sitting next to Senator McCain when he was at this very table asking some of these questions:

Saddam Hussein developed and used WMD? True. You are talking about in the past? Yes, he used them against the Iranians and the Kurds. If he were in power today, is there no doubt that he would harbor ambitions to develop and use WMD? Absolutely, no question about that. Then the questioning goes on as to how much better off we are today.

I was going to run over the German intelligence reports, the French, the Russians, the Israeli reports, but also our own reports. When President Clinton was in office he said: "I have ordered a strong, sustained series of air strikes against Iraq. They are designated to degrade Saddam's capacity to develop and deliver weapons of mass destruction." There was no doubt in anyone's mind that this was going on.

Now, I think probably the best question that has been asked here, and it has been answered by you and it has been asked to a number of witnesses so I will not ask it again, is are we better off today? I think people are so quick to forget the reports that we had about Saddam's bloody regime, about the lining up the 8,000 people in the mass graves. Many people at this table have actually looked down into these mass graves. The lining up of 315 children and executing the 315 children; the policy of cutting tongues out if anyone is suspected of saying anything about the regime.

Mr. Chairman, you might remember this although you were not on the trip, in 1991 we had the first freedom flight. Alexander Haig and myself, and several others, went to Kuwait with Saud al-Sabaq. He was the ambassador to the United States from Kuwait. They did not even know the war was over there. This was right after it was officially over.

I can recall the 7-year-old daughter of the ambassador. We went to their palace, they were of the royal family, only to find that Saddam Hussein had taken over that palace and used it as a headquarters. I went up with this little girl to her bedroom and there were body parts. They had used it as a torture chamber. I saw a little boy there with his ear cut off because he was caught with an American flag.

Now, I think anyone who is trying to use these two arguments for political purposes is going to have to answer that question and have to answer it in the positive, that we are better off, or deny that we are better off than we would have been if Saddam were still in power. So I think that is the thing that we have to look at.

I know I have used almost all my time, but let me just ask you a couple of questions, Mr. Duelfer. Thank you very much for your service, both of you. Would you describe Iraq's strategy and tactics to divide the Security Council and defeat sanctions? Would it have made sense, in your view, to stake our national security on the success of the U.N. sanctions regime?

Mr. DUELFER. I think it is pretty clear that the Iraqi strategy and tactics to dividing the Security Council were having a fair amount of success. I think that is clear in the report when you see the amount of conventional military equipment that was being sold to Iraq, being transported into Iraq, in fact with the help of some Security Council members.

There is, in my mind, little doubt that the trend, again prior to September 11, the constraints that the U.N. was able to put around Iraq were collapsing.

Senator INHOFE. Thank you very much.

Thank you, Mr. Chairman.

Chairman WARNER. Thank you, Senator Inhofe.

Senator Reed.

Senator REED. Thank you, Mr. Chairman.

Thank you, Mr. Duelfer and General. I did have the opportunity to visit you and I appreciate the arduous circumstances and the extraordinary commitment that you and your colleagues have made to do your mission.

Mr. Duelfer, let me follow up on a question that the chairman asked about your perception of the threat prior to the invasion. I think you indicated that you thought there might be some stockpiles, but I do not want to put words in your mouth. The question I have: At that point did you think that constituted an imminent threat to the United States and our interests?

Mr. DUELFER. Bear in mind, I was not a member of the Intelligence Community at that time. I was just me with my own background.

Senator REED. Given what we have learned, you might have been in a better position.

Mr. DUELFER. It was my judgment that Iraq retained perhaps a strategic reserve, in other words a deterrent, not an offensive capability.

Senator REED. Let me ask you another question which I think is very interesting. You have had the opportunity to meet with Saddam. Why did he accept U.N. inspectors into his country with virtually unrestricted access? I think, as I recall, they actually discovered some of these missiles that were out of compliance and destroyed them?

Mr. DUELFER. First let me correct a point in your premise. The way we debriefed Saddam was by one interlocutor who spent his entire time. My interaction with him was always one step removed.

Senator REED. Thank you.

Mr. DUELFER. But the question why did he accept the inspectors, I think to the best we understand from what he has said, which is not always the truth, but from those around him, was that he recognized the growing pressure. It was clear that the military force buildup was taking place. His advisors finally convinced him

that, look, there has been a ground shift of the support in the Security Council away from Iraq.

He was feeling isolation. Some of the revenues were tailing off. He was, I think, getting advice also from some of his friends on the Security Council who said: Look, the world has changed; you have some problems here.

Senator REED. That seems to be a pretty rational response for somebody who we have kind of labeled as a lunatic or delusional. That is just an aside.

The inspectors on the ground, and you have great experience as a former inspector, were probably the best source of intelligence and information. They could have significantly increased our awareness of the true facts, difficult to get at, I grant you. But yet they were prematurely removed, very abruptly removed. In your judgment was that a wise decision?

Mr. DUELFER. First of all, I have enormous respect for the inspectors. There is no substitute for having people on the ground. That provides a lot of information. It provides a deterrent.

But I would come back to the question of were those conditions sustainable? Hans Blix and his people were on the ground in an extraordinary set of circumstances. The United States had deployed a lot of forces. There was a crisis in the Security Council. So when I ask myself the question, were inspections working, are you asking a question which is at one point in time or is it over a continuum?

I find it hard to convince myself that the circumstances which allowed the inspectors to be successful to the extent that they were. I do not think those conditions were sustainable.

Senator REED. I think you raise the issue of the length of sustainability. Certainly I would assume that you can see they could have been sustained for several more months at least. This coalition was a huge step, backing him down, forcing him to admit that the situation had changed, that the U.N. was going to crack down on him. Perhaps it would not have lasted for 2 or 5 years indefinitely, but for 2 or 3 months to 6 months, to 7 months, at which time we could have learned a great deal more about the very questions we are debating now: Were those biological labs producing hydrogen or something else? Was it a real nuclear program or was it sort of dormant?

Mr. DUELFER. I am not sure I can answer that question, sir.

Senator REED. Mr. Duelfer, I respect you and I think that is probably a good answer. But certainly those questions should have been asked by our leadership.

Mr. DUELFER. That is the heart of a good discussion and good debate, and I hope this report informs that discussion.

Senator REED. Let me ask you another question as my time allows. From what you said, this might be repeating your response to Senator Levin, Saddam consciously and deliberately ordered the destruction of virtually all of his WMD, chemical and biological and termination at some point of the nuclear program, which begs the question: If he was so intent on reconstituting a program, if this was his unshakable idea, why did he not simply hide small portions of this material?

Mr. DUELFER. He wanted to get out of sanctions. That was his priority. On a noninterference basis with that objective, he wanted to sustain, as we understand it from talking with him and his advisors, the intellectual capabilities and some bits and pieces of his programs that are hard to duplicate.

This is particularly the case in the early years of the U.N. constraints, from 1991 to 1995, and particularly the period of time during which his son-in-law, who was in charge of developing and had some pride of creation of these programs, was still around. But after he left in 1995, I think Saddam concluded that this business with the sanctions was going on longer than he expected. He did not anticipate the duration of these. He had to take other decisions, to include getting rid of some of the production capabilities and other things.

Senator REED. It seems that the sanctions were working.

Mr. DUELFER. Again, if you look at it at a point in time and I hate to say this but, it depends what you mean by "working." The sanctions certainly were modifying Saddam's behavior. They were also having an enormous effect on the people in Iraq. Once Saddam elected to begin the Oil-for-Food program because of the devastation on the Iraqi population and because of the threats that caused to his own regime, it provided all kinds of levers for him to manipulate his way out of the sanctions.

So, again I come back to trying to avoid a static analysis and try looking at a more dynamic analysis, what are the trends, where is this headed. I apologize if I sound like I am disappearing into jargon here, but to me I think that is a distinction with a difference.

Senator REED. Thank you. General, thank you.

My time has expired.

Chairman WARNER. Thank you very much, Senator.

Senator Allard.

Senator ALLARD. Thank you, Mr. Chairman.

I wonder, this is for both of you to comment on, if you would describe the extent of the evidence that Saddam's regime destroyed materials, documents, and equipment, and whether your findings were accurately reflected in Saddam's 2002 report to the U.N. Security Council?

Mr. DUELFER. Sir, our task was not to compare what we found with the U.N. document, what was provided to the U.N. Likewise, it was not to compare what we found with prewar intelligence assessments. We had enough trouble just trying to determine what it was that was on the ground.

However, in the process of doing that, it was quite clear that we were finding things which were certainly at variance with the U.N. resolutions. But we did not line up what we found with what Iraq was declaring.

Senator ALLARD. But you did see enough evidence there that raised suspicions about the accuracy of the 2002 report to the U.N. Security Council?

Mr. DUELFER. There certainly were errors in that report.

Senator ALLARD. Errors did exist?

Mr. DUELFER. Errors did exist, yes.

Senator ALLARD. Similarly, did you uncover more evidence that the regime engaged in additional destruction of WMD evidence after hostilities began in 2003?

Mr. DUELFER. I think David Kay and I both have commented on that. There was a lot of destruction at sites, the intentional destruction of documentation, materials. It is difficult to determine exactly what was removed and destroyed, but there clearly was a concerted effort in certain areas to destroy materials that would be helpful in our investigation now.

Senator ALLARD. Would you care to speculate on the motivation for the destruction of those?

Mr. DUELFER. Iraq had, throughout its existence, a denial and deception activity, for a multiplicity of reasons, one of which was to conceal whatever they had with respect to WMD from the U.N. inspectors, but also to protect the regime leadership in many ways. So it could have been related to many different things.

There were also records unrelated to WMD, but perhaps related to atrocities, that they wanted to cover up.

Senator ALLARD. So you do think, in your mind, that there were some WMD programs that they were trying to destroy evidence of?

Mr. DUELFER. I have not said that, sir. I have said there were active steps taken to destroy things and materials which could be helpful to our investigation. I do not know what it was that they were destroying evidence of, so I cannot make that next step.

Senator ALLARD. I see.

Mr. Duelfer, your predecessor and certainly other recent commissions and government reviews have all concluded that we had poor human intelligence in Iraq to uncover or corroborate WMD facts and assertions. In your opinion, how did we get into that poor state?

Mr. DUELFER. It is not my responsibility. Nevertheless, I do have opinions. Again, because we did not have relations with Iraq we did not have access for a long period of time. That is one factor.

Senator ALLARD. It was a closed society.

Mr. DUELFER. It was a very closed society.

Senator ALLARD. It was very difficult to get people in there in the field to verify.

Mr. DUELFER. That is true. While the UNSCOM was operating in Iraq, I take some pride in this, we had a great deal of information about Iraq that we made public. Our reports to the Security Council, which occurred four times a year, were quite detailed. I think perhaps people assumed that was a pretty good source of information. But again these are just my opinions and I am not the best-positioned person to comment on that question.

Senator ALLARD. On its face, Iraq is a closed society. They agree to have inspectors come into their country and then all of a sudden they kick them out. That raises suspicions about what is going on in the country as far as WMD, does it not?

Mr. DUELFER. Certainly in December 1998 when Operation Desert Fox took place and there was 4 days of bombing. The U.N. Special Commission left Iraq. There was an enormous division in the Security Council at that time because there was a difference of opinion about whether that bombing should have taken place. The Iraqis, certainly Iraqis I spoke with, were actually quite satisfied

and pleased. One individual I spoke with, I remember, said: Well, gee, if we knew that that was all you were going to do, meaning the 4 days of bombing, we would have ended this earlier.

But from December 1998 until December 1999, the Security Council was in complete disagreement over what to do with Iraq. There was not a consensus. It took them a full year to arrive at a new resolution. During that period of time, Iraq was obviously free to do what it wanted. It was clear that there was not a consensus on how to deal with Iraq and they would draw their own conclusions from that.

Senator ALLARD. I understand from your remarks the degree of uncertainty regarding involvement of the neighboring countries in Iraq's potential transportation of WMD or facilities. For example, we saw reports that Iraqi intelligence services would replace border security guards while cargo caravans crossed various border stations.

Do you want to elaborate on those assertions and facts?

Mr. DUELFER. Our investigations looked a lot at what took place at some of the border points and surrounding the border crossing points. This is described in some detail in our report. Certainly there was a lot of activity related to the transfer of prohibited conventional munitions. The Muhabarat, the Iraqi Intelligence Service, was involved in that. They had people at these border points. There was a lot of traffic back and forth. There were reports about WMD-related materials crossing the border.

But I still feel that we have not yet run down all the leads that we can on that. I am not sure we will ever be able to definitively answer that question, but I still think there are some avenues of explanation which we can pursue.

Senator ALLARD. Are some of those papers in the volumes of information you just acquired? Do you believe that they could be there?

Mr. DUELFER. The documents, the customs documents, are not replicated in the books, but the discussion about some of the lines of inquiry we have had are included in that, including the role of the Muhabarat, the Iraqi Intelligence Service.

Senator ALLARD. I see my time has expired, Mr. Chairman.

Senator INHOFE [presiding]. Thank you, Senator Allard.

Senator Nelson from Florida.

Senator BILL NELSON. Thank you, Mr. Chairman.

Mr. Duelfer, thank you for your public service. I visited with your team over there about a year and a half ago. That is a difficult place for you to operate in and I appreciate your public service.

If you would, explain just a little more for the committee the following quote from page 5 of your report: "The analysis shows that, despite Saddam's expressed desire to retain the knowledge of his nuclear team and his attempts to retain some key parts of the program, during the course of the following 12 years"—that is after the 1991 war—"the following 12 years, Iraq's ability to produce a weapon decayed."

Can you describe that to us? How did that ability decay?

Mr. DUELFER. The nature of a nuclear weapons program is such that you need large teams of very well-educated, highly-trained in-

dividuals. It is a complicated process. Despite Saddam's desire to retain that intellectual capital, over time those teams just decay. You just cannot sustain that.

The people working on the trigger mechanism, the people working on enrichment, the people working on materials sciences, and the people working on rotors for production of enriched material—there was a wide range of talent and expertise which just simply melted away, and that is what happened.

Senator BILL NELSON. General, Scott Speicher is from my State. He is from Jacksonville. You have made the statement that the team that was there, which was doing a magnificent job, departed this year in May.

General MCMENAMIN. Yes, sir. Sir, they exhausted all in-country leads. They ran to ground everything they could find in-country, returned to the United States to work on their report with the Intelligence Community prisoner of war-missing in action (POW–MIA) cell. That report is with the Director of DIA right now for his review, prior to going to the Department of the Navy and SECNAV for his final assessment of the fate of Captain Speicher.

Senator BILL NELSON. That is 5 months that they have been here. Why is there not a report forthcoming?

General MCMENAMIN. Sir, the last update I had, it was with the Director of the DIA. Other than that, I have no idea why it has not gone any further.

Senator BILL NELSON. What advice would you give to the committee for us to give any kind of comfort to the family that everything has been done and that the team has left Iraq?

General MCMENAMIN. Sir, basically with the team leaving Iraq, when they did their efforts to find the fate of Captain Speicher, that did not stop our efforts to pursue other leads. Any leads that we get in-country, we have individuals assigned that will actually work those leads, whether it is working with a unit in one of the different organizations, whether it is a source from a human intelligence, or whether it is a walk-in to any of our platforms.

We will continue to pursue any leads that come up in-country or any leads that we get from the United States that may prove credible enough that we can give the families some hope and comfort.

Senator BILL NELSON. I know about some of those leads and we have not been able to follow up on them.

General MCMENAMIN. No, sir. It is extremely difficult to go to parts and about parts of the country right now to follow up on some of those.

Senator BILL NELSON. Because of the difficulty of us having access as well as the explosiveness of the local population, the threats, the intimidation, the retribution, all of that?

General MCMENAMIN. Yes, sir, those are all parts. In addition, some of the sources are bedouins who move around quite frequently. They are extremely difficult to find. Some of them still do not trust any type of centralized government, just like they didn't before. But the leads that we get, we do pursue. We sort through, just as on the WMD side, we sort through scams and realities, to try to pursue the credible ones to ensure that we can do what we are supposed to do.

Senator BILL NELSON. In the 1990s we found his aircraft. The Iraqi government at that time, supposedly brought forth Scott Speicher's flight suit. We found a lot of the parts of the aircraft. Yet we found no other things, no identification badges. We did not find his pistol. We did not find any of this.

General MCMENAMIN. Yes, sir.

Senator BILL NELSON. It is out there somewhere.

General MCMENAMIN. Yes, sir. It involves tracking down people somewhere in the country. Some are afraid to come forward. They are there. It is just going to involve getting to them and finding them and finding out what the answers are.

Senator BILL NELSON. What do you think I ought to tell the family so that they have some assurance that this is going to happen, given the fact that it took raising Cain by three Senators in order to get this thing moving after about 8 years?

General MCMENAMIN. Sir, the only thing I would be able to tell the families is that we will not give up looking for him. If that gives them false hope, it should not. As time goes on and the situation stabilizes, it will give us better access to people. Maybe people will be more forthcoming if their fears of retribution by either the insurgency or the former regime elements—but I would say that we will pursue the effort to the best of our ability to find a good answer for the family.

Senator BILL NELSON. For your personal service, thank you very much. My "ought" that I have is with others who I think have dropped the ball. It is certainly not with you, it is not with your predecessor. It is not with all of those very courageous people who were part of that team that was sifting through every piece of debris that they could find in those prisons to get any shred of evidence.

It is with the lethargy and inertia in these gargantuan organizations that suddenly let the fate of an American flyer, who was walked away from suddenly, be lost in the bureaucracy. That I cannot stand. I can tell you, I speak for Senator Roberts as well.

Thank you, Mr. Chairman.

Senator SESSIONS [presiding]. Thank you.

Senator Lindsey Graham.

Senator GRAHAM. Thank you.

Mr. Duelfer, I have tried to put this whole issue in context and see if we can reach some type of sensible conclusions about what we are to draw from all this. Let us go back. The starting point to me is the use of WMD by Saddam Hussein. What kind of weapons are we talking about that he used?

Mr. DUELFER. In the Iran-Iraq War, in the late 1980s, he used chemical weapons, both aerial bombs and artillery rounds. He used approximately 101,000 chemical munitions. They were mustard rounds, largely in the case of 155-millimeter artillery shells. There were 122-millimeter rockets with sarin. There were also aerial bombs.

In the case of the domestic use in Halabja and other cities as well in northern Iraq, it was really the same mix, but they tended to be dropped from helicopters.

The third use was in 1991, and this is where the ISG developed more new information. That is when the Shia were rising up;

again, they loaded helicopters with chemical munitions and used it against the Shia.

Senator GRAHAM. Were these weapons produced in-house or did he buy this material from someone or do we know?

Mr. DUELFER. Certainly the weapons were manufactured in Iraq. Some components of those weapons and precursors of the agents that were acquired abroad.

Senator GRAHAM. But the actual making of the chemical bombs was done in Iraq, is that correct?

Mr. DUELFER. That is correct.

Senator GRAHAM. So at one time he did have a chemical capability within the country?

Mr. DUELFER. Absolutely. He had an enormous facility called the Muthanna State Establishment. There is a long discussion of that particular facility in one of the annexes of the report. It is a huge facility. I think it is like 5 kilometers by 10 kilometers, with dozens of buildings. It is quite a huge place.

Senator GRAHAM. Is 1981 the year that the Israelis bombed a nuclear power plant?

Mr. DUELFER. That is correct. In June of that year they bombed the Osirak reactor.

Senator GRAHAM. Do you believe that was a wise decision on their part?

Mr. DUELFER. After that activity, the Iraqis really went full bore on a nuclear weapons program. I do not think I have a judgment on that, frankly.

Senator GRAHAM. The only reason I mention it is, was there ever a time that Saddam Hussein was engaged in trying to acquire a nuclear weapon?

Mr. DUELFER. Oh, he certainly was. He had a very elaborate program. His top weapons designers freely admit that. They discuss that. The head of the program, Jaffar Jaffar, will tell you that. After being imprisoned, and only let out of prison if he agreed to begin a program to run a nuclear weapons program, he did that. That continued on until 1991.

Senator GRAHAM. So what we know thus far from history is that he had chemical weapons in-house, he used them on people to survive, and that he was actively procuring nuclear weapons. Now, was there ever any evidence that he transferred any material to a third country?

Mr. DUELFER. We have not come across evidence that he transferred WMD materials to a third country.

Senator GRAHAM. Group or country, to anyone?

Mr. DUELFER. We have some reports that we are trying to run down, as I mentioned earlier, of material moving out of Iraq just prior to the war. But if your question means was he sharing the wisdom and knowledge that he acquired about WMD, we have not seen that. But neither has that been a particular emphasis of our investigation.

Senator GRAHAM. But you are still searching out the issue of whether or not he may have moved some weapons material before the war?

Mr. DUELFER. That is correct.

Senator GRAHAM. How large a container would you need to hold enough weapons anthrax to kill 100,000 people?

Mr. DUELFER. If you have dried anthrax and it is properly distributed, it does not take much in terms of dried agent. But you have to be able to deploy it. There are many scenarios that you can spin out. If you put it in an aircraft, like an agricultural type of aircraft, the amount of agent itself is very small. It is something that could readily fit in a small room. The device that you, or whatever mechanism you choose to disperse this with, is another issue itself.

But your point I think is that it is a very small amount of space in the biology area, and that is true. It is difficult to find these things.

Senator GRAHAM. Is it also fair to say that on paper there were many weapons unaccounted for, biological and chemical agents unaccounted for, given what we know he had before 1991 and the latest inspection efforts?

Mr. DUELFER. Your term "unaccounted for" is well-chosen because there is much confusion on this point. The U.N. Special Commission in particular but also the Monitoring, Verification, and Inspection Commission reported that it was unable to verify the disposition of certain weapons. That is different than saying that they exist. So we were unable to account for them.

Senator GRAHAM. Let us try it one other way. The Iraqi government was unable to account for it.

Mr. DUELFER. Correct.

Senator GRAHAM. So in conclusion, we have a very long history of use of weapons, procuring of weapons and, on paper, unaccounted-for weapons. I think what we need to learn from this is that we were wrong, and as a country we need to find out why we were wrong about some of our assessments. But as a world I think we need to come to grips with the idea that people like Saddam Hussein had too much opportunity to do too many bad things too long, and we should learn from that, too.

Thank you.

Senator SESSIONS. Senator Ben Nelson.

Senator BEN NELSON. Thank you, Mr. Chairman.

I express my appreciation for your service, as well as for your being here today.

It is my understanding that the report that is being released, Mr. Duelfer, will list companies that traded with Iraq after U.N. sanctions were imposed against trade. But the version to be made public will not include the names of U.S. companies due to a prohibition in the Privacy Act; although the full version to be received by U.S. Government officials, including Members of Congress, will include those American companies' names.

But the report will name French, Russian, Polish, and other companies and officials that traded with Iraq. Some of the trade may not have been illegal, though much of it, I think in the words of the report, "was clearly illegal."

Is this accurate?

Mr. DUELFER. Sir, it was my view to put forward all the data, names of people, companies, countries that were involved in this,

because I felt it was important for people to understand that. Believe me, I had to argue on this.

However, with respect to the American names, lawyers have told me that the Privacy Act prohibits publicly putting out American companies' names. But they are included in the report, which is an official document provided to American officials.

Senator BEN NELSON. I assume that you took their legal advice, but you may not have shared that opinion; is that fair?

Mr. DUELFER. I am not a lawyer, so if someone tells me I am going to go to jail for something I tend to listen carefully. I mean, that is not what they told me, but they said: Look, this is the law; this is as far as we can go.

Senator BEN NELSON. But isn't it interesting that we print the names of petty criminals in the police blotter sections in weekly newspapers across the country, but somehow the names of these companies do not get in? Apparently the Privacy Act does not relate to foreign companies? Was that ever discussed with you or do you have any thoughts about that?

Mr. DUELFER. It evidently does not. I would point out also that these data to which you are referring on oil vouchers and so forth, that data is going to become public anyway. It is part of many investigations which are ongoing. The U.N. has an ongoing investigation. It is documents which we received from the Iraqi government. So I think, as a practical matter, the full disclosure of all this is going to happen. But we cannot be a part of that.

Senator BEN NELSON. Now let us go to the unaccounted for WMDs. You mentioned that your view going in was that you thought there probably was a strategic reserve for defensive purposes, not for offensive purposes. As you looked did you also believe that there would be some capability of delivering those WMD in a defensive posture?

Mr. DUELFER. Again, this is just my own opinion.

Senator BEN NELSON. I understand, it is your own view.

Mr. DUELFER. Beforehand I had thought that there would be some small number of ballistic missiles, on the order of a dozen or 15, with the capacity to be loaded with either chemical or biological agents, and this would be something as a deterrent, in a sense.

Senator BEN NELSON. Did you have any indication that would have led you to believe that these existing stockpiles, small or otherwise, that were not found might have been secreted to Syria or some other place?

Mr. DUELFER. I had no wisdom on that when I formulated my own opinions about what might remain. I was really drawing my judgment on the residual uncertainties from my work at the UNSCOM, from discussions with defectors when I was there, my sense from discussions with Iraqis during the years I was at UNSCOM, and the overall incentive structure that Saddam had. Those were the factors that led to my judgment on that.

Senator BEN NELSON. But you had no belief, going in, that you would find large stockpiles or large delivery capabilities, as an assumption, as an expectation?

Mr. DUELFER. My thought was that Saddam, the Iraqi regime, would have preserved the opportunity or the capability to produce chemical agent and biological agent if a decision were made to do

that. But this is just me as an individual. That was my judgment, that he would have retained the capacity to produce in a strategic buildup period, to put it in our kind of jargon.

Senator BEN NELSON. In your previous statement you said that you saw the destruction, but you could not tell at what point the destruction of any stockpiles might have occurred. You also said, I think, that there was a deterioration just inherent in not keeping a nuclear program going because of the loss of staff and the loss of capabilities there.

Do you think there was also a loss of potential capability in the ability to make WMD other than nuclear weapons if you were not in the process of making them?

Mr. DUELFER. Less so in the other areas, because of the nature of the systems. Let me go back to an earlier part of your introduction to that last question. You said we were not able to understand when these weapons were destroyed. We investigated that pretty extensively through interviews and so forth, and really what we found was most of the destruction was done in 1991, at various points throughout 1991.

Senator BEN NELSON. So it was not just in advance of the invasion?

Mr. DUELFER. No, not just in advance. I was talking about some destruction of evidence and materials that might have aided our investigation. I just want to make sure that there was not a confusion on that point.

To your second point or question really, the decay in the ability to produce chemical or biological weapons is different, again because of the nature of the system. For biology, a small number of people that is required. The physical plant required is very small. So it would be easy for Saddam to conclude or assume that he has that capability and it is on the shelf. I said this in my testimony. Because he was able to do it in the past, because the people are still there, because he can produce indigenously, even if he has to start from scratch, fermenters, spray dryers, tanks, and dispersal systems, that is something which in his mind he would say: I can do that if I want to and it will not take me long to do it.

Chemical is somewhat more difficult. It takes dozens of people in terms of the engineers, production engineers, and the chemists. It would be a bit more difficult depending upon the type of weapons system that you wanted to use. If it is simple dumb bombs, that is one thing. If it is missile warheads, that is kind of another thing.

Interestingly, though, where he did choose to very openly violate the resolution was in the ballistic missile area, and that is an area where he tried to draw a distinction between WMD and long-range ballistic missiles. But he also, I think, understood this is a long-lead item. Building, indigenously certainly, the types of missiles that he was building, the Samoud II, took a lot of time. It was when he was in possession of a substantial amount of wealth, largely derived from the Oil-for-Food program, that he actually committed to those production programs, particularly around 1999 and 2000.

Senator BEN NELSON. Thank you, and thank you, Mr. Chairman.

Senator SESSIONS. Thank you, Senator Nelson.

I, just in general, would share the thought that, looking back over my comments at the time that we voted to go forward and authorize military action in Iraq, I mentioned WMD very little, but talked mostly about the consistent violation of Saddam Hussein of the 16 U.N. resolutions. In a sense, he violated his agreement for peace. He sued for peace when our military was moving forward in Iraq and he sued for peace and agreed to do a number of things, which he did not do.

As "The Economist" magazine in London said, in I thought a very important editorial, the box was leaking. European nations, Russia, France, Germany particularly, were trading with him. The embargo was leaking. We were flying flights over Iraq on a daily basis and being shot at by his people and dropping bombs on him. We were at a point, as "The Economist" said, to either put up or shut up, to walk away or not.

I am absolutely convinced had we walked away from Iraq he would have broken the embargo, utilized the vast oil reserves he had to reconstitute a military that would have been a threat to the world and reconstitute his chemical weapons system.

That is just my view. That is what I said at the time. That is what I believe today. I know the CIA Director apparently, according to Mr. Woodward, told the President it was a slam-dunk that there were going to be WMD there. I do recall Chairman Warner, at least four or maybe six times, asking leading witnesses: If we undertake this war, are we going to find WMD when it is over? Every one said yes, and one of those was General Abizaid, I do recall.

So I just would say that people who talk about lying and misrepresentation really need to be talking about were there reporting errors and errors in analysis, which is why we are passing, probably this very day, a bill to reform and strengthen our Intelligence Community.

Mr. Duelfer, you were asked by Senator Graham—I thought you were a bit reluctant to answer the plain question: How much space does it take to have anthrax that could kill thousands of people? Just how much would it be if it is properly handled?

Mr. DUELFER. It is a matter of square feet in terms of the agent. It is something that it is a very small amount of agent.

Senator SESSIONS. Could you put enough in one fruit jar to kill hundreds of people, if you know? Just yes or no, if you know.

Mr. DUELFER. Again, the short answer, if you make the right kind of material and you disperse it correctly and the atmospheric conditions are right. I have listened to too many biological weapons experts to be able to just give you a straight yes or no answer. But it is a very small area, yes.

Senator SESSIONS. Yes, certainly it is, and it is hard to find that if you have to look over a nation of 20 million people; it might be there.

What about this report? I see that, I believe it is in July, we moved out more than 1.7 tons of enriched uranium and other radioactive materials from Iraq. What was that about?

Mr. DUELFER. This is material that had been part of the Iraqi nuclear power plant production and had been under safeguards. It is not related to weapons programs.

Senator SESSIONS. Is it convertible to a dirty bomb or something of that nature?

Mr. DUELFER. This is the concern, yes.

Senator SESSIONS. So far as you know, now are there any other remaining nuclear materials in Iraq?

Mr. DUELFER. None which have not been accounted for by the International Atomic Energy Agency. I think we are pretty solid on that. When you say nuclear, Iraq for one reason or another, has these cesium lightning arresters all over the place. I have no idea why they do, but there are little pieces of cesium all over. So we have been trying to collect up as many of those as possible. But they are not considered to be a major threat.

Senator SESSIONS. With regard to the discussion about whether or not the aluminum tubes were part of a nuclear reconstruction effort by Saddam Hussein, I would just recall that we heard both views of that in our intelligence briefings that we got and the Democratic nominees got if they attended. Some said it was and some said it was not. I thought it was connected to nuclear myself, based on the briefings. But it was certainly clear to those of us who listened to the briefings that some could interpret that differently.

Did you form any opinion concerning former weapons inspector David Kay's comments that "We know from some of the interrogations of former Iraqi officials that a lot of material went to Syria before the war, including some components of Saddam's WMD program"?

Mr. DUELFER. I would agree with all that up until the last point, because I do not believe we know that WMD-related material left Iraq to go to Syria. There was a lot of material, a lot of things, including a lot of money, which left Iraq and went to Syria.

Senator SESSIONS. You deny it or you just personally are not sure that was included in the things that went out of the country?

Mr. DUELFER. We are unable so far to make a conclusion on that. We have seen reports, but what I can tell you that I believe we know is a lot of materials left Iraq and went to Syria. There was certainly a lot of traffic across the border points. We have a lot of data to support that, including people discussing it. But whether in fact in any of these trucks there was WMD-related materials, I cannot say.

Senator SESSIONS. I think probably what happened to us was that we knew, and I guess you have confirmed in your own mind, that he used weapons, that he used chemical weapons against his own people and against the Iranians in the Iran War; is that correct?

Mr. DUELFER. That is correct, yes.

Senator SESSIONS. You do not deny that he was developing a nuclear weapon program when he was hit by the Israelis a number of years ago?

Mr. DUELFER. No, he clearly had a nuclear weapons program. He clearly had ambitions in all of these areas.

Senator SESSIONS. Do you believe he still harbored those desires to achieve in those areas?

Mr. DUELFER. There is no doubt in my mind.

Senator SESSIONS. I guess, frankly, that the fact he had had them previously, he had been given opportunities to demonstrate

how he got rid of them and he refused, I think that may have allowed, caused some of our experts to reach conclusions that we have not been able to establish at this point to be accurate.

Senator Dayton.

Senator DAYTON. Thank you, Mr. Chairman.

Thank you, gentlemen, for your candor and your persistence here today.

The discrepancy between what we were told just prior to the war beginning, in terms of Iraq's WMD stockpiles and the absence thereof, is really to me staggering, and I want to just put into the record the statement that Secretary of State Colin Powell made before the U.N. on February 5, 2003. He stated: "Our conservative estimate is that Iraq today has a stockpile of between 100 and 500 tons of chemical weapons agent. That is enough to fill 16,000 battlefield rockets."

He also cited 18 trucks, mobile biological agent factories.

Your report indicates that there were none of these supplies, as did Dr. Kay, on the battlefield, stashed away, or anywhere physically to be found in Iraq.

On the nuclear weapons question, Vice President Cheney stated on August 29, 2002: "On the nuclear question, many of us are convinced that Saddam will acquire such weapons fairly soon." Just before the war began, he said on Meet the Press on March 16, 2003: "And we believe he has in fact reconstituted nuclear weapons."

Your report, your testimony today, says: "The analysis shows that, despite Saddam's expressed desire to retain the knowledge of his nuclear team and his attempts to retain some key parts of the program, in the course of the following 12 years after the Gulf War, Iraq's ability to produce a weapon decayed." So he had less capability than he did in 1991 to produce a nuclear weapon.

At the time when we were convinced to support the resolution in October 2002 that the President requested and at the time the President made the decision to commit American forces to the war in Iraq, we were told that Iraq possessed these magnitudes of WMD that constituted immediate and urgent threats to the United States. Based on what you have learned subsequent, would you say that assertion was correct?

Mr. DUELFER. Sir, I do not want to be evasive, but again it was not our job to validate prewar intelligence.

Senator DAYTON. Based on what I just said here, which is the information we were given?

Mr. DUELFER. What we have found on the ground is at substantial variation from what you have described the prewar assessments were. I think that is quite clear.

Senator DAYTON. I accept that. Thank you.

Based on your overall knowledge of other nations, and maybe you do not have the expertise, either of you, to answer this, how many other countries would you say at that time or at the present time had WMD programs and weapons themselves greater in number or development than Iraq? How many nations of the world?

Mr. DUELFER. Sir, I do not know. Ask me about Iraq and I can drone on forever.

Senator DAYTON. All right, fair enough.

You mentioned in the closing of your testimony, Mr. Duelfer, something that was quite chilling. This summer, you detected attempted or prospective links between foreign, you say here, "foreign terrorists or anti-coalition forces who were attempting to either obtain chemical weapons stocks or the experts in Iraq who were able to produce those weapons," and that you thought you had been able to get ahead of this problem, you said, through the raids this summer.

Do you still see that linkage or possible linkage as a threat?

Mr. DUELFER. I do. I was a little bit reluctant to put much more into the public report on that because it is an ongoing force protection kind of an issue. The Army raided a facility called the Al-Aboud Laboratory in an area of Baghdad which is known as the "chemical souk," and by chance they found a person there who was working on some ricin.

So we quickly got involved in that. We quickly began to debrief him and ferret out his contacts and work a link analysis, et cetera. We pursued a series of raids pursuant to that, and we put together a picture of a series of efforts and a number of individuals who were trying to put chemical agent of various sorts into munitions, including mortar rounds. We think we have most of that particular activity, not under control, but we understand it.

These individuals were anti-coalition people. They were not people who we identified with foreign terrorists. But it has certainly been the case that characters like Zarqawi have expressed an interest in exactly this type of weapon. But I think the resources of the ISG, the analysts and the ability to react quickly allowed us to get ahead of this problem, and I am quite proud of that.

Senator DAYTON. I am glad you did, yes. Thank you for doing so.

It strikes me that one of the pretexts for this war was to prevent Saddam Hussein from dispersing his WMD to other forces, and a terrible irony of the effort would be if in fact that had not been occurring and did in fact occur as a result of our intervention there. I appreciate your intervention to prevent that.

May I ask, regarding the long-range ballistic missiles that you cited, what are we talking about here in terms of the long range?

Mr. DUELFER. The Al-Samoud, which was a weapon that he had and he fired several in the war, had a range which exceeded 150 kilometers. I think it flight tested out to 180 kilometers. But in addition, he had under development range extension programs that, by adjusting the fuel, in the near term he could have reached 250 kilometers. Saddam had asked the development of much longer range missiles, including up to 600 kilometers. All of this was within the capabilities of the Iraqi scientists and engineers, aided and abetted by external assistance.

Senator DAYTON. My time is up. May I just ask you to respond briefly. How much longer do you think this investigation needs to continue?

Mr. DUELFER. I am going to go back to Baghdad as soon as possible, because it is safer there. I would anticipate some of the residual issues can be pretty well addressed in the next month or two. This is not dragging on. I know some of the questions seem to say, why are we wasting all this money and time on this.

Senator DAYTON. Just asking.

Mr. DUELFER. In terms of subsequent reporting, what I would see is a potential of perhaps addendums on little defined issues. For example, was material shipped out of Iraq prior to the war; a judgment on that.

Senator DAYTON. Thank you again, both of you, for your service. Thank you, Mr. Chairman.

Senator SESSIONS. Senator Dayton, thank you.

Senator Clinton, the vote has just started on final passage, about 2 minutes or so. So if you would like to go now, fine. I think Senator Warner will return after the vote.

Senator CLINTON. I would prefer to go now if I could.

Senator SESSIONS. Good. You are recognized.

Senator CLINTON. Thank you very much.

Mr. Duelfer and General, thank you both for your service, and please express our appreciation to your predecessors and all who served on the ISG. We have a deep understanding, based on the work that you have done, of issues that are quite difficult, and I thank you for that.

Mr. Duelfer, when was your report finished?

Mr. DUELFER. When it was in the printer, which was probably 2 or 3 days ago. It is dated the 30th. I think the last volume of it actually trickled off the printer a couple days after that.

Senator CLINTON. Who have you or anyone on your behalf briefed with respect to this report?

Mr. DUELFER. Briefed?

Senator CLINTON. Or discussed, presented the report?

Mr. DUELFER. For my part, I have talked to people as this has progressed, including up here; earlier this morning, the Senate Select Committee on Intelligence. I have had meetings with various people saying, where are things coming out, where are they going along. But in terms of the final report, it has not been briefed anywhere other than to Congress right now.

Senator CLINTON. Have you had discussions with anyone at the Pentagon over your findings?

Mr. DUELFER. I have not, no.

Senator CLINTON. Has anyone, General, on your staff or on behalf of the ISG briefed the report to anyone in the Pentagon?

General MCMENAMIN. No, ma'am.

Senator CLINTON. Have there been any briefings or any discussions of any kind, broadly construed, with anyone at the White House or the National Security Council?

Mr. DUELFER. I have had discussions with a staffer over there, yes. Let me be careful. The report has been around and circulated for declassification purposes. A lot of people had to look at it for source protection reasons and for other issues, to make sure it was proper that it all go out publicly.

Senator CLINTON. So the report has been in circulation within the government.

Mr. DUELFER. The report has been in the Intelligence Community and, frankly, it has been all over town in bits and pieces while people went through it to see if there was material in it that should not be out in the public domain.

Senator CLINTON. Mr. Duelfer, with respect to the ongoing dispute about aluminum tubes, is it your testimony that finally the

dispute has been put to rest insofar as it is possible to determine the use for the tubes?

Mr. DUELFER. I have the advantage of being able to just make a call on this because the report goes out under my name. This aluminum tube issue to me is just, to me it is rockets.

Senator CLINTON. It is rockets?

Mr. DUELFER. It is rockets.

Senator CLINTON. So if the National Security Advisor on Sunday said of the tubes, "People are still debating this," is it fair to assume that she has not been briefed or not aware of the findings of the ISG?

Mr. DUELFER. There may be people debating it in various places, but they debated it in front of me and I came to a conclusion and that is what I put in this report. Again, this is not an Intelligence Community report. I have the great pleasure of not having to go through an interagency process on this and made a call.

Senator CLINTON. But you are representing the best judgment of a thousand people who filtered information and evidence up to you.

Let me ask, Mr. Duelfer, did you find any evidence that Saddam Hussein either passed weapons or materials or information to terrorist networks or that there was a real risk of him doing so?

Mr. DUELFER. We found no evidence that he was passing WMD material to terrorist groups, but that really was not a strong focus of our work.

Senator CLINTON. So there is no evidence in your report that there was such a risk of him doing so?

Mr. DUELFER. We did not address that.

Senator CLINTON. Is there any other source of information other than the work of the ISG that would present evidence sufficient for a statement such as that to be made that you are aware of?

Mr. DUELFER. I am unaware of assessments on that, but I am not sure I would be aware.

Senator CLINTON. So if this morning President Bush said, "There was a risk, a real risk, that Saddam Hussein would pass weapons or materials or information to terrorist networks," he could not be relying upon your exhaustive report for that statement, could he?

Mr. DUELFER. He had the talent and the knowledge existed in Iraq, so what Saddam did with it you again have to evaluate.

Senator CLINTON. But he is not talking about passing on talent. He is talking about weapons, materials, information.

Mr. DUELFER. The report describes what we found on the ground, which was no stocks. There was a decision to sustain, to the extent they could, the intellectual capital. I am trying to say exactly what we have said here.

Senator CLINTON. I appreciate that because I think you have done a great service to your country, Mr. Duelfer. I sometimes fear that we are trying to turn Washington, at least, into an evidence-free zone. So the introduction of evidence and facts upon which reasonable people, I hope, can reach conclusions is a great service. We have seen too little of that. So I am very appreciative of the professional way in which you have proceeded in the fulfillment of your function.

Let me also ask you, Mr. Duelfer, as an experienced inspector: The conclusions you reached about the decay of the attempt to ob-

tain nuclear weapons is of great interest, I think, because we now are concerned about North Korea and Iran. We obviously were surprised by both India and Pakistan. Those states and perhaps even non-state actors who are attempting to obtain nuclear weapons is the greatest threat we confront, and that was certainly the case before Iraq and now indeed after.

Do you have any advice about the best way for the United States to try to degrade and decay such capacity so that we can be assured that proliferation will not pose a threat to us or to others around the world?

Mr. DUELFER. The decay that occurred in the Iraqi program was a function of the sanctions and the limits, the extraordinary limits, put on this regime. We looked at some of the activities of these scientists in areas where we thought they might have been serving as a surrogate for nuclear-related activities. For example, there was a development program of a rail gun, which is an electromagnetic—it is like a magnetic device for firing projectiles. We thought that that might be a surrogate for development of nuclear expertise. We looked at a series of projects like that, but we found that it was inconclusive.

Drawing conclusions that would apply to a country like North Korea, it is difficult, frankly, Senator, because they are really so different. Iraq invaded another country and lost. It was subject to an extraordinary set of U.N. regulations. It fought a war with Iran. It has enormous natural resources. It has a population which is energetic. They are great builders. It is in a different region, where many would expect just objectively to see Iraq as a country and its people really should be the hub, but by virtue of the leadership the difference between what is in Iraq and what could be is huge.

I do not know. It is difficult for me to draw lessons for North Korea. But it is a very good question. Maybe others smarter than I can do it.

Senator CLINTON. Thank you so much, both of you.

Chairman WARNER [presiding]. Thank you, Senator.

I thank the witnesses for their indulgence. We are now voting on the intelligence bill, which is of utmost importance. I had the last two amendments and I have voted, so I am going to remain. There is at least one Senator on the committee who desires to come back from the vote since that individual did not have an opportunity to ask questions.

Would you like to take a 3-minute or a 4-minute stretch?

Mr. DUELFER. Sir, I am used to Baghdad. This is fine.

Chairman WARNER. All right, that is fine. General, as a former Marine myself, you just stay where you are.

General MCMENAMIN. Okay, sir.

Chairman WARNER. Thank you.

Gentlemen, I think we have had an excellent hearing. There are many ways to judge the quality and content of a hearing.

Senator PRYOR. Mr. Chairman, I am sorry. I am back. I have been voting and I just got back.

Chairman WARNER. Good. I am in the middle of a speech.

Senator PRYOR. I will get out of your way then.

Chairman WARNER. A number of colleagues have come up to me on the floor and in the passageway and expressed tremendous sat-

isfaction with your testimony and the fact that you have come and the work you have done. General, of course you are the new boy on the block, but you are doing your job, too.

My question at this point is, and then I will yield to my good friend here, is the record complete as to the future that you estimate for the ISG? You have 1,750 people. I am looking at your statement, General, and that is a considerable investment of people and capital. The General points out in his testimony we have a wide range of other mission areas outside Mr. Duelfer's responsibility.

So I think it would be helpful if you were to describe the force. The size is still 1,750. Do you contemplate to keep that size? What are the missions, and over what period of time do you hope to achieve those missions?

General MCMENAMIN. Sir, out of that 1,750, about 1,000 of them are down in Qatar running the Document Exploitation Center (DOCEX). They are the ones that will handle this large influx of material we just received. They will triage it, scan it, and get it into the national databases. Out of that 1,000 down there, about 700 of those are linguists, both CAT–1 and CAT–2 linguists, who do the scanning, the triage, and things like that. So that is a large undertaking down there.

Up in Baghdad we have about 750 folks. That is broken out between a small DOCEX effort that focuses more on some tactical intelligence, taking care of things. We have an analytical base that encompasses a WMD section, a counterinsurgency section, and a political-military section that handles the high-value detainees (HVDs) and Captain Speicher investigations. That is supported by a small staff, a security element, and a human intelligence element that works throughout Iraq.

Based on the various missions we have, the numbers may change depending on the size and the questions that we need to follow for Mr. Duelfer's post-report requirements. We are looking at how we can better integrate and work with the Multinational Force-Iraq's collection efforts also so we can support over the next couple of months the requirements that Mr. Duelfer identifies and also General Casey's requirements in the battle against the counterinsurgency and the counterterrorists, especially in these crucial months leading up to our elections, their elections, and our inauguration.

Chairman WARNER. That is a very clear statement. I thank you.

You have indicated, Mr. Duelfer, that you are going to return, is that correct?

Mr. DUELFER. That is correct.

Chairman WARNER. You have not specified the duration of this next chapter?

Mr. DUELFER. No, but it is a much diminished task and requirement. The General and I have been discussing the personnel requirements and so forth, but it is a very much smaller activity that will be required.

Chairman WARNER. What work do you deem essential to complete this?

Mr. DUELFER. The criteria I put is I do not want to be spending time and basically risking people's lives on things which are histor-

ical curiosities. My criteria is something which could materially affect the future. In other words, if we are uncertain about the disposition of some fermenter tanks, there remains the possibility that there is a biology capability. So that is worth investigating to me.

Chairman WARNER. Of course, there are the facts that will be revealed from this very large tranche of new material which is down in the document examination.

I have been recycling Senator Kennedy's question to you, Mr. Duelfer, in which he asked you the likelihood that we will ever find stockpiles of WMD in Iraq, and you said 5 percent. I kept thinking, in reply to my earlier inquiry, you said that biological weapons required very little space in which to house, store, preserve, or otherwise keep a supply which could be extremely detrimental to a great number of people. Am I correct about that?

Mr. DUELFER. Absolutely correct.

Chairman WARNER. So was that included in your 5 percent? Are we referring to large caches of WMD in terms of chemical primarily?

Mr. DUELFER. The way I understood Senator Kennedy's question was large militarily significant stocks. The risk that there is a concealed biological capability of some sort to produce, that is the area where I am least confident, frankly. But because we have had access to those people we believe were involved in the previous biology program, that is where we draw some confidence that we think we have run this as well as we could. The most important analytical approach on biology is the people, because there is a relatively small number. But by the same token, it could be two or three people that you never even heard of involved in this.

So sensitivity analysis on this whole endeavor would say your weakest ground is in biology.

Chairman WARNER. I thank you very much.

Now, Senator, we are delighted that you came back from the vote. Take your time.

Senator PRYOR. Thank you.

Chairman WARNER. We appreciate very much your staying with this hearing.

Senator PRYOR. Thank you very much. I will try to stay within my 6 minutes if at all possible.

I would like to join the chorus of voices here thanking both of you for your public service. It is great service to this country and even beyond our borders. We really appreciate it.

If I may, Mr. Duelfer, I would like to start with you. I read in this morning's "Washington Post," it said, "As head of the ISG, he worked independent of the CIA." Is that true? You worked independent of the CIA?

Mr. DUELFER. I am an independent voice. I report to the DCI.

Senator PRYOR. Okay. "Independent of the CIA, and his report was not vetted or changed by the agency." Is that true?

Mr. DUELFER. Other than for the declassification process, which I described earlier. I controlled the content.

Senator PRYOR. So they did not ask you to change it materially, just in terms of the classification aspect?

Mr. DUELFER. Correct.

Senator PRYOR. Did anyone else ask you, outside the CIA, from another agency or the White House or anybody else, to change your report?

Mr. DUELFER. No. I received thoughts, which I solicited from people, because I think anybody who has a bright idea I am not averse to hearing it. But no one tried to influence the outcome. If they knew me, they would realize they would get the opposite reaction, if anything.

Senator PRYOR. Did you find any connection between Saddam Hussein's regime and September 11? I just want to be very clear on this because this has come up in numerous contexts.

Mr. DUELFER. We were not looking for that, but we found none.

Senator PRYOR. Also let me just be clear on this question, because this again has come up in this committee and other places: Is there any evidence that Saddam Hussein or his regime passed WMD to al Qaeda?

Mr. DUELFER. We saw nothing.

Senator PRYOR. Is there any evidence that he attempted to do that or he was contemplating doing that?

Mr. DUELFER. We saw nothing.

Senator PRYOR. As I understand your testimony from earlier when we started in the very beginning, you talked about the U.N. sanctions. I do not want to put words in your mouth, but as I understand it, in your view they had a very limiting effect on his ability to produce WMD?

Mr. DUELFER. Among the effects of the sanctions were to constrain his ability to produce WMD, and that is twofold. One is that there were some constraints, particularly in the early years, about what he could import, but it also modified his behavior because his prime objective was to get rid of those sanctions.

Senator PRYOR. So in that sense the sanctions had worked or were working. But also what you found, as I understand it, is individuals and companies from China, Russia, France, and other countries were willingly evading U.N. sanctions?

Mr. DUELFER. I think the strength of the sanctions was clearly decaying, particularly after 1997.

Senator PRYOR. I think you mentioned they were in a free fall?

Mr. DUELFER. I am a skydiver, so free fall is not necessarily bad in my book.

Senator PRYOR. Let me ask this. If those companies and individuals in China, Russia, and France were trading with Iraq, is it possible they could do that without their government's knowing that?

Mr. DUELFER. Yes. We try to be very careful in discussing when we know it was a company dealing with Iraq, when we know it was a government dealing with Iraq, or when we know it was a government-sponsored company dealing with Iraq. We saw evidence of all.

Senator PRYOR. Were these violations by these governments and companies and individuals aiding Saddam Hussein's attempted buildup of WMD? Were they aiding his WMD program?

Mr. DUELFER. They were certainly aiding his weapons infrastructure. They were certainly aiding his long-range ballistic missile capability. They were certainly aiding in the sense that the domestic infrastructure was improving and that would shorten a breakout capability should he decide on that.

But we did not see specific imports, for example related to a biological program, dedicated to a biological program, dedicated to a nuclear program, or dedicated to a chemical program.

Senator PRYOR. I see. Now I want to ask you a question that I know you will get asked by the press, if you have not already. It is possible that you already have been asked this today. President Bush, when he was asked whether there were chemical and biological weapons that existed in Iraq prior to Operation Iraqi Freedom, said: "Wait until Charlie gets back with the final report."

My first question is, are you Charlie?

Mr. DUELFER. If he says so.

Senator PRYOR. The second question is, just so I understand your testimony, you did not find evidence of chemical or biological weapons at the dawn of Operation Iraqi Freedom?

Mr. DUELFER. We did not find stocks of either chemical or biological weapons.

Senator PRYOR. Is your report in any way inconsistent with David Kay's findings?

Mr. DUELFER. No. In some cases we refined some of the material he presented. We learned a bit more about some of the things that he originally found. We were able to flesh out some of the organizations. For example, he first found some of these Muhabarat labs and I think we were able to get a better understanding of what they were about.

Senator PRYOR. In other words, you fleshed out his report?

Mr. DUELFER. His report was really a snapshot of what they found. I think this is more of a synthetic picture of what was going on.

Senator PRYOR. Comprehensive view?

Mr. DUELFER. It is really not inconsistent with what he——

Senator PRYOR. Okay. Let me ask about a scenario that someone referred to a few moments ago, and you actually have it in your written statement. Maybe I should ask General McMenamin about this.

There is a scenario out there that I think we in Congress are concerned about. What if insurgents team up with Saddam Hussein-regime chemical weapons experts? What if they team up and could cause quite a bit of damage there? Here is the question I want to ask the General: Do we have, in your view, sufficient resources on the ground in Iraq to prevent this?

General MCMENAMIN. I would say, for the military commanders, the intelligence effort that we have to try to identify these people is sufficient at the moment. One of the more successful programs that the embassy is running is the scientist redirection program. We are working with the embassy and the ministry of science and technology to actually employ some of these former regime scientists either here in the United States or in Iraq, which will also help the issue.

Senator PRYOR. The answer to my question then is what? Do we have sufficient resources on the ground?

General MCMENAMIN. Yes, sir.

Senator PRYOR. We do. Are we doing everything we can do to make sure that scenario does not happen?

General MCMENAMIN. Sir, any time we get any notification of any type of chemical weapon, we send a team out. We interview sources, we run down sources. We have run down everything from epoxy glue to baby powder to crude schematic drawings of missile systems that somebody took out of a book just so they can get some money. So we investigate every potential lead.

Senator PRYOR. Thank you.

Mr. Duelfer, I am really out of time, but let me ask you one question.

Chairman WARNER. Senator, you go ahead and take another minute or two.

Senator PRYOR. Thank you, Mr. Chairman.

Is this your final report? Are you planning on doing another report?

Mr. DUELFER. This is a comprehensive report. I choose that word carefully because I think, as I mentioned, there are a couple little remaining issues where I think we can usefully develop more information, and if we do and if it is beneficial we will produce short addendums to this report.

Senator PRYOR. I would like to follow up on Senator Lindsey Graham's question a few moments ago as well. He mentioned the unaccounted for WMD. You may not be able to say how much is unaccounted for in this arena but I would like at some point to get an answer to that. If you can say it here, I would like to hear it.

In your opinion, what happened to the WMD that is unaccounted for? What is your view of that?

Mr. DUELFER. The unaccounted for weapons really derive from the weapons which Iraq declared it had but was not able to verify the disposition thereof. There were 550 155-millimeter artillery shells with mustard agent. They were not able to account for those to the U.N. What happened to them? We may never really know.

But as we find these residual chemical rounds, I think, about 53 in the past several months we found, some of these unaccounted for weapons may just turn up that way. They are not a significant threat.

Senator PRYOR. Let me just be clear on that. These weapons that you found, the mustard gas, et cetera, are pre-1991?

Mr. DUELFER. They were produced before 1991, that is correct.

Senator PRYOR. This really is my last question because I am indulging on the chairman's time here. If I can follow up with Senator McCain's question, he says, basically we had two choices in Iraq. We could either keep the status quo or we could attack Saddam Hussein. I am not trying to be overly simplistic, but I think that is essentially what he said.

But would you agree with me that actually we did have a third option, and that is that we could have the world rededicate ourselves to the sanctions? In other words, to use your term, to stop the free fall, to plug the holes of the leaky—and there has been a lot of analogies used today, but the leaky vessel, whatever we called it earlier? Could we not have done that and continued to thwart his ability to create WMD?

Mr. DUELFER. Sir, I am really not in a position to answer that question. Just one thing I would point to, though, is the sanctions had a lot of effects far beyond addressing the Iraqi WMD capabil-

ity. When you see what happened to the Iraqi country, particularly now that we are there, you have to take that into account as well.

Senator PRYOR. Mr. Chairman, that is all I have. Thank you.

Chairman WARNER. Thank you very much, Senator, for your participation.

What has become of the scientists who worked on particularly the WMD, but biological programs as well? Do you have an accounting for how many of them are around and what they are doing? Is there some program to discourage them from working with some other organization, terrorists, or leaving the country and spreading their knowledge into hands which would bring along an adverse situation?

Mr. DUELFER. Sir, we have a fair idea of where the prominent ones are. Some of them are in jail. Some of them are employed in Iraqi ministries. As General McMenamin mentioned, there is a program that the United States is sponsoring to employ some of these individuals.

Frankly, it has been my experience that most of these people would rather pursue other lines of business, but they want to pursue a line of business that allows them to earn an income. Most of these people did not grow up thinking, gee, when I grow up I want to make anthrax. They were kind of channeled into that by a very odd regime.

But I think for the most part we know where most of the biological specialists are and they are in Iraq.

Chairman WARNER. You know what efforts have been made on the nuclear programs in the former Soviet Union through the Nunn-Lugar programs. We have expended a lot of the taxpayers' funds to get a handle on where that material is and what is being done to keep it out of the hands of third parties. Russia has been extremely cooperative, I think, and we are continuing to press forward.

Do we need a similar program here?

Mr. DUELFER. Sir, I think that there is a State Department program along those lines. They have certainly come to us with requests for who the key individuals are. We have provided that information to them. But it is outside of the direct mandate of the ISG.

General?

General MCMENAMIN. Sir, our chem-bio unit, that does all the field testing, has worked a very good relationship between the embassy and the ministry of science and technology, and we actually have a very open dialogue with them to identify certain scientists who are either needed back here for the Department of Homeland Security or can be of use in Iraq.

Chairman WARNER. I thank you.

What has been your observation about the prisoners in custody and to the extent that they have been forthcoming in providing us any information that has been of value in your work? I want to separate this, of course, from the situation with the Abu Ghraib prison and the military situation. That is slowly working its way through the judicial system of the Department of the Army, and this committee is interested in that as well.

But what they call the deck of cards, they are kept in facilities where there is an entirely different type of treatment being rendered.

Mr. DUELFER. That is correct. Frankly, I think some of them have been very helpful. Some of them have not. It is my opinion that very little purpose is served by detaining some of them.

Chairman WARNER. You conveyed that to the appropriate authorities, your judgment on that?

Mr. DUELFER. That is correct.

Chairman WARNER. That is good. I think that is helpful. So some of it has been fruitful from time to time?

Mr. DUELFER. Some of them have been very helpful, and in fact I think it would be very interesting when some of them are released for them to read this report and have a comment on it.

Chairman WARNER. Lastly, you have been very helpful to the committee in giving your perspectives on Iraq and the future of Iraq, drawing on your many years of experience with the people. I am going to speak for myself. It seems to me the greatest hope for fulfilling the mission of giving the Iraqi people the freedom that they deserve, and hopefully want, is through the training of significant numbers of military, police, paramilitary, border, and the like to secure their country.

We hosted Prime Minister Allawi, who is a very impressive man, and I had the opportunity to directly ask him questions along this line. The anticipation is that the numbers, which are currently 60,000 to 65,000, could well go to 100,000 by the time the elections are held in January.

But as you study that culture, do you feel that sufficient numbers of people in Iraq will step forward, take on those responsibilities of providing for their own security, and in numbers which hopefully will enable our country to begin some phasedown of its force structure? You see these tragic situations where those lining up as recruits are the targets of suicide bombers. Yet those lines seem to form the next day.

So I would be interested in your views on that, Mr. Duelfer.

Mr. DUELFER. Sir, it is obviously unrelated to my report, but I have spent a lot of time there. My sense is that what they desire most is of course security. It does not take a genius to figure that out. If they have a structure to step into and they believe it is their structure, not a foreigner's structure, and that that structure is fair and represents Iraq, I think that will happen.

I had a lot of very candid conversations with many Iraqis, even under Saddam. There are lots of discussions about the different tribes, clans, the Shia, and the Sunni. Many of them made the point to me, they said: Yes, over the last few decades we have acquired our nationality. We are Iraqis first. The way Saddam disbursed favor and so forth, he tended to reward groups and so forth, and he fended off threats to himself that way.

But I think if there is a structure that is identified as an Iraqi structure, that is seen as something which will contribute to their future, that there is a true possibility that that will happen.

Chairman WARNER. I thank you very much.

Senator Levin. Thank you.

Senator LEVIN. Thank you.

Just a few questions, Mr. Duelfer. First on the UAV issue. As I read your findings on page 42, it is that, "Evidence available to the Iraq Survey Group concerning the UAV programs active at the onset of Operation Iraqi Freedom indicates these systems were intended for reconnaissance and electronic warfare." Does that accurately state your finding?

Mr. DUELFER. That reflects our assessment.

Senator LEVIN. Did you find any evidence in the documents that you looked at that Iraq had UAVs capable of or were intended to carry WMD?

Mr. DUELFER. In their possession, no.

Senator LEVIN. Relative to chemical weapons, on I believe page 1 of the chemical section, your report says that, "While a small number of old abandoned chemical munitions have been discovered, the Survey Group judges that Iraq unilaterally destroyed its undeclared chemical weapons stockpile in 1991."

Mr. DUELFER. Yes, that is correct.

Senator LEVIN. You also found that, relative to the sites, the satellite photos of sites that were stated to be suspicious chemical weapons storage sites prior to the war, on page 3 of your report "alternate plausible explanations for the activities noted other than CW-related activities." Is that accurate?

Mr. DUELFER. Yes. This is referring to Secretary Powell's presentation to the U.N. Security Council, in particular the site called Musa-Ib, and there was some imagery of that. What we found on the ground was that what the Iraqis were doing there was unrelated to chemical weapons.

Senator LEVIN. Senator Pryor asked you about any evidence of a relationship to al Qaeda in the documents that you looked at, and I gather you answered in the negative to that question. How many documents did you look at? I do not know whether to ask you, General, or who I look at for the answer to this, because you had some data in your prepared statement about numbers of documents, number of people. So whoever wants to answer that question.

General MCMENAMIN. Sir, we went through over 40 million pages of documents.

Mr. DUELFER. I would hasten, we have also now acquired a like number.

Senator LEVIN. So you have another 40 million more documents to look at.

Mr. DUELFER. Another squillion, to put it in analytical terms. I am sorry. A lot.

Senator LEVIN. A lot.

But at least in the 40 million you have gone through, there was no such evidence, is that correct?

Mr. DUELFER. The approach that it has gone through is a triage system. We have not put eyeballs on every page and looked at that. But the process that we have gone through has not yielded anything like that.

Senator LEVIN. Then just one other question. I am trying to find out whether it was a conversation that you had or your folks had about his major concern. Apparently in the report you were quoted as saying that you were approached "multiple times during the late

1990s by senior Iraqis with the message that Baghdad wanted a dialogue with the United States."

Mr. DUELFER. Myself among others, that is true.

Senator LEVIN. "That Iraq was in a position to be Washington's best friend in the region?"

Mr. DUELFER. That is something that a senior Iraqi said to me, that is true.

Senator LEVIN. What came of those probes?

Mr. DUELFER. Nothing. The policy was not to have a dialogue, as I understand it, with Baghdad at the time. But again, I was not part of those policy decisions. I just was the recipient. They saw me as a convenient American to talk to.

Senator LEVIN. While we are waiting for the chairman, page 1 of the biological section says that "Iraq would have faced great difficulty in reestablishing an effective biological warfare agent production capability and that any attempt to create a new biological warfare program after 1996 would have encountered a range of major hurdles. The years following Operation Desert Storm brought a steady degradation of Iraq's industrial base. New equipment and spare parts for existing machinery became difficult and expensive to obtain. Standards of maintenance declined. Staff could not receive training abroad and foreign technical assistance was almost impossible to get. Additionally, Iraq's infrastructure and public utilities were crumbling."

Is that an accurate reading of your page 1?

Mr. DUELFER. In the mid-1990s that is true. But with the improvements in Iraq's domestic industrial circumstances as the 1990s proceeded, it became less of a hurdle. It also is addressing a program on the scale that they had before the war, which was a very substantial program. We are not really addressing there the small types of terrorist type of concerns that so often people talk about with respect to biological weapons.

Senator LEVIN. Thank you.

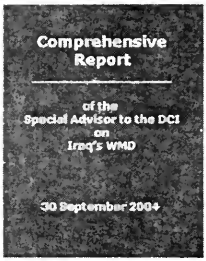
Chairman WARNER. Forgive me, I am trying to handle a matter on the floor at the same time.

Senator LEVIN. I do not know if Senator Pryor had concluded. I did not have the gavel.

Chairman WARNER. Thank you. As I said, I thought we have had a very good hearing, and I wanted to personally come back and thank you for the service that you have rendered, each of you, and continue to render. This committee would be very anxious to receive such subsequent reports and opinions that you might have, as we intend to continually monitor this important subject.

Thank you very much. The hearing is adjourned.

[The complete Table of Contents of the "Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD" follows:]



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[Whereupon, at 5:48 p.m., the committee adjourned.]

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